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**Austria, Bulgaria, Costa Rica and Italy: draft resolution**

# Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity

*The General Assembly*,

*Reaffirming* its resolutions 46/152 of 18 December 1991, 60/1 of 16 September 2005, 67/1 of 19 September 2012, 69/193 of 18 December 2014, 69/196 of 18 December 2014, 69/281 of 28 May 2015, 70/1 of 25 September 2015, 70/76 of 9 December 2015, 70/120 of 14 December 2015, 70/175, 70/178 and 70/182 of 17 December 2015, 70/291 of 1 July 2016, 70/299 of 29 July 2016 and 70/301 of 9 September 2016,

*Reaffirming also* its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[1] the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[2] the Convention on Psychotropic Substances of 1971,[3] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[4] the United Nations Convention against Corruption[5] and all the international conventions and protocols against terrorism,

*Welcoming* Economic and Social Council resolution 2016/16 of 26 July 2016 on follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, and recalling the importance of the outcome

[1] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.
[2] Ibid., vol. 976, No. 14152.
[3] Ibid., vol. 1019, No. 14956.
[4] Ibid., vol. 1582, No. 27627.
[5] Ibid., vol. 2349, No. 42146.



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document of the Thirteenth United Nations Congress, the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[6]

*Expressing its grave concern* about the negative effects of transnational organized crime on development, peace, stability and security and human rights, about the increasing vulnerability of States to such crime and about the growing degree of penetration of criminal organizations and their financial and economic resources into the economy,

*Expressing concern* at the involvement of organized criminal groups, as well as the substantial increase in the volume, rate of transnational occurrence and range of criminal offences related to trafficking in precious metals and stones in some parts of the world, and the potential use of trafficking in precious metals and stones as a source of funding for organized crime, other relevant criminal activities and terrorism,

*Deeply concerned* about the growing links, in some cases, between forms of transnational organized crime and terrorism, and recognizing that countering transnational organized crime and terrorism is a common and shared responsibility,

*Convinced* that the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms, including the right to development, in this respect welcoming the adoption of the 2030 Agenda for Sustainable Development,[7] which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and recalling in this respect its resolution 70/299 on follow-up and review of the 2030 Agenda at the global level, in which it encouraged coherence of the General Assembly and its Main Committees, the Economic and Social Council, the specialized agencies and the functional commissions of the Council, and other intergovernmental bodies and forums with the work of the high-level political forum on sustainable development towards the follow-up and review of the implementation of the 2030 Agenda and called for avoiding duplications,

*Emphasizing* that transnational organized crime must be addressed with full respect for the principle of the sovereignty of States and in accordance with the rule of law as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socioeconomic conditions,

*Encouraging* Member States to develop and implement, as appropriate, comprehensive crime prevention policies, national and local strategies and action plans based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, in close cooperation with all

[6] Resolution 70/174, annex.

[7] Resolution 70/1.

stakeholders, including civil society, and in this respect stressing that social development should be an integral element of strategies to foster crime prevention and economic development in all States,

*Reaffirming its commitment and strong political will* in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, encouraging the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular for those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind,

*Deeply concerned* about the negative impact of corruption on development and on the enjoyment of human rights, and recognizing the universal importance of good governance, transparency, integrity and accountability, thus calling for a zero-tolerance approach to corruption and more effective measures to prevent and counter corruption in all its forms, including bribery, as well as the laundering of proceeds of corruption and other forms of crime,

*Welcoming* the results of the sixth session of the Conference of the States Parties to the United Nations Convention against Corruption, held in Saint Petersburg, Russian Federation, in November 2015, and of the launch of the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption,

*Bearing in mind* that the return of assets is one of the main objectives as well as a fundamental principle of the United Nations Convention against Corruption and that the States parties to the Convention are obligated to afford one another the widest measure of cooperation in that regard,

*Recognizing* that, thanks to their nearly universal membership and wide scope of application, the United Nations Convention against Transnational Organized Crime[8] and the United Nations Convention against Corruption offer fundamental bases for international cooperation, including for criminal investigations, extradition, mutual legal assistance and confiscation and asset recovery, and that they provide effective mechanisms that should be further implemented and utilized in practice,

*Stressing* the importance of strengthened international cooperation, based on the principle of shared responsibility and in accordance with international law, to effectively address the world drug problem, dismantle illicit networks and counter transnational organized crime, including money-laundering, smuggling of migrants, trafficking in persons, trafficking in arms and other forms of organized crime, all of which threaten national security and undermine sustainable development and the rule of law, and stressing also in this respect the importance of law enforcement cooperation and exchange of information, of designated and effective central authorities dedicated to both domestic and international coordination in the

[8] United Nations, *Treaty Series*, vol. 2225, No. 39574.

receiving, execution and transmittal of mutual legal assistance requests and of the coordinating role of relevant regional networks and organizations,

*Noting* the important contribution that public-private sector cooperation can make in efforts to prevent and combat criminal activities, such as transnational organized crime, corruption and terrorism, in particular in the tourism sector,

*Reaffirming* the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,[9] and its successive biennial reviews, and in particular its resolution 70/291 on the Strategy Review, in which it recalled its resolution 70/254 of 12 February 2016, recommended that Member States consider the implementation of relevant recommendations of the Secretary-General's Plan of Action to Prevent Violent Extremism,[10] as applicable to the national context, encouraged United Nations entities, in line with their mandates, to implement relevant recommendations of the Plan of Action, including by providing technical assistance to Member States upon their request, and invited Member States and regional and subregional organizations to consider developing national and regional plans of action to prevent violent extremism as and when conducive to terrorism, in accordance with their priorities and taking into account, as appropriate, the Plan of Action, as well as other relevant documents,

*Recalling* the importance of its resolution 70/120 on measures to eliminate international terrorism and of its resolution 70/148 of 17 December 2015 on the protection of human rights and fundamental freedoms while countering terrorism,

*Recalling also* its resolution 66/177 of 19 December 2011 on strengthening international cooperation in combating the harmful effects of illicit financial flows resulting from criminal activities, in which it urged States parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption to apply fully the provisions of those Conventions, in particular measures to prevent and combat money-laundering, including by criminalizing the laundering of proceeds of transnational organized crime, as well as measures to enhance national confiscation regimes and international cooperation, including in asset recovery,

*Expressing concern* that economic resources, such as oil, oil products, modular refineries and related material, other natural resources and other assets are made available to organized criminal and terrorist groups,

*Taking into consideration* all resolutions of the Commission on Crime Prevention and Criminal Justice and the relevant resolutions of the Economic and Social Council, in particular those relating to the strengthening of international cooperation, as well as the technical assistance and advisory services of the United Nations crime prevention and criminal justice programme of the United Nations Office on Drugs and Crime in the fields of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

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[9] Resolution 60/288.

[10] See A/70/674.

*Noting* the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking for the purpose of developing an effective and comprehensive approach to those crimes within the United Nations system, and reaffirming the crucial role of Member States in this regard, as reflected in the Charter of the United Nations,

*Recognizing* the general progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and technical assistance to requesting Member States in the areas of crime prevention and criminal justice reform, data and information analysis, preventing and countering corruption, organized crime, illicit financial flows, money-laundering, terrorism, misuse of the Internet and communications technologies, kidnapping, smuggling of migrants, trafficking in fraudulent medicine, trafficking in persons, including the support and protection, as appropriate, of victims, their families and witnesses, as well as drug trafficking and international cooperation, including progress in tackling the phenomenon of foreign terrorist fighters, with special emphasis on extradition and mutual legal assistance and the international transfer of sentenced persons,

*Welcoming* the adoption by the United Nations Office on Drugs and Crime of a regional approach to programming, based on continuing consultations and partnerships at the national and regional levels, particularly on its implementation, and focused on ensuring that the Office responds in a sustainable and coherent manner to the priorities of Member States,

*Reiterating its concern* regarding the overall financial situation of the United Nations Office on Drugs and Crime, and welcoming the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office,

*Recalling* its resolution 71/[ ] of [ ] on the intensification of efforts to eliminate all forms of violence against women and girls and the resolutions of the Commission on Human Rights and the Human Rights Council addressing various aspects of violence against women and girls of all ages, and recalling also the agreed conclusions of the fifty-eighth session of the Commission on the Status of Women, which addressed the elimination and prevention of all forms of violence against women and girls,[11]

*Reiterating its condemnation* of all forms of violence against women and girls, expressing deep concern about gender-related killing of women and girls, recalling all its relevant resolutions, including resolutions 68/191 of 18 December 2013 and 70/176 of 17 December 2015 on taking action against gender-related killing of women and girls, and recognizing the key role of the criminal justice system in preventing and responding to gender-related killing of women and girls, including by ending impunity for such crimes,

*Noting* the significance of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice[12] as a way to assist countries in strengthening their

[11] See *Official Records of the Economic and Social Council, 2014, Supplement No. 7* (E/2014/27), chap. I, sect. A.

[12] Resolution 69/194, annex.

national crime prevention and criminal justice capacities to respond to all forms of violence against women and girls,

*Recalling* its resolution 69/194 of 18 December 2014, by which it adopted the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, convinced of the importance of preventing youth crime, supporting the rehabilitation of young offenders and their reintegration into society, protecting in particular child victims of all forms of violence, including those in contact with the justice system, and witnesses, including efforts to prevent their revictimization, and addressing the needs of children of prisoners, stressing that such responses should take into account the human rights and best interests of children and young people, consistent with the obligations of the States parties under relevant international instruments, including the Convention on the Rights of the Child[13] and the Optional Protocols thereto,[14] and noting other relevant United Nations standards and norms in juvenile justice,

*Emphasizing* the relevance of international instruments and United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners, in particular women and juveniles,

*Recalling* its resolution 70/145 of 17 December 2015, in which it reaffirmed that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

*Stressing* the importance of the Code of Conduct for Law Enforcement Officials[15] and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,[16] which emphasize efficient and human rights-based policing,

*Recalling* its resolution 65/229 of 21 December 2010 on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and in this regard encouraging the efforts of Member States to implement the Bangkok Rules,

*Recalling also* its resolution 67/187 of 20 December 2012 on the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, in which it invited Member States to adopt and strengthen measures to ensure that effective legal aid is provided,

*Welcoming* the adoption, by its resolution 70/175, of the revision to the Standard Minimum Rules for the Treatment of Prisoners, as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),

*Reiterating its strong condemnation* of trafficking in persons, which constitutes a grave offence to human dignity and physical integrity, human rights

[13] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[14] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

[15] Resolution 34/169, annex.

[16] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

and sustainable development and requires the adoption of a comprehensive approach and a robust criminal justice response, and recalling in this respect its resolution 70/179 of 17 December 2015,

*Underlining* that, although the crime of smuggling of migrants may share, in some cases, some common features with the crime of trafficking in persons, Member States need to recognize that they are distinct crimes and that they require separate and complementary legal, operational and policy responses, and recalling its resolutions 69/187 of 18 December 2014 and 70/147 of 17 December 2015, in which it called upon all Member States to protect and assist migrants, including migrant children and adolescents, and Economic and Social Council resolutions 2014/23 of 16 July 2014 and 2015/23 of 21 July 2015,

*Recalling* its resolution 71/1 of 19 September 2016, by which it adopted the New York Declaration for Refugees and Migrants, in which Member States addressed the issue of large movements of refugees and migrants and, recognizing the importance of international cooperation and burden- and responsibility-sharing, called for long-term and sustainable solutions to ensure the full respect and protection of the safety, dignity, rights and fundamental freedoms of refugee and migrants, regardless of status, in particular those in vulnerable situations, and committed themselves to adopting in 2018 a global compact on refugees and a global compact for safe, orderly and regular migration,

*Welcoming* the work of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in accordance with the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by its resolution 64/293 of 30 July 2010, as well as the important contribution of the Special Rapporteur on trafficking in persons, especially women and children,

*Concerned* at the growing involvement of terrorist and organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and alarmed by the destruction of cultural heritage perpetrated recently by terrorist groups, which is linked to trafficking in cultural property in some countries and to financing of terrorist activities,

*Recognizing* the indispensable role of crime prevention and criminal justice responses in combating all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner, and underlining the importance of the practical assistance tool aimed at supporting the implementation of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences,[17] through the Commission on Crime Prevention and Criminal Justice, the implementation of resolutions 68/186 of 18 December 2013, 69/196 and 70/76 and facilitating operational cooperation against all forms of trafficking in cultural property and the request to the United Nations Office on Drugs and Crime to provide practical assistance in the implementation of the Guidelines and to facilitate cooperation in this area, including in countering the financing of terrorism in accordance with resolution 70/177 of 17 December 2015,

[17] Resolution 69/196, annex.

*Affirming* that the destruction of cultural heritage, which is representative of the diversity of human culture, erases the collective memories of a nation, destabilizes communities and threatens their cultural identity, and emphasizing the importance of cultural diversity and pluralism as well as freedom of religion and belief for achieving peace, stability, reconciliation and social cohesion, and recalling in this respect its resolution 70/76,

*Reaffirming* the intrinsic value of biological diversity and its various contributions to sustainable development and human well-being, and recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the Earth which must be protected for this generation and the generations to come,

*Emphasizing* that the protection of wildlife must be part of a comprehensive approach to achieving poverty eradication, food security, sustainable development, including the conservation and sustainable use of biological diversity, economic growth, social well-being and sustainable livelihoods,

*Expressing deep concern* about crimes that affect the environment, including illicit trafficking in endangered and, where applicable, protected species of wild fauna and flora and in hazardous waste, and emphasizing the need to combat such crimes by strengthening coordinated action to eliminate, prevent and combat corruption and disrupt illicit networks and also by coordinating international cooperation, capacity-building, criminal justice responses and law enforcement efforts,

*Recalling* the adoption of its resolutions 69/314 of 30 July 2015 and 70/301 on tackling illicit trafficking in wildlife, in which it, inter alia, requested the Secretary-General to provide updated information to the General Assembly at its seventy-first session on the global status of illicit trafficking in wildlife, including poaching and illegal trade, and on the implementation of resolution 70/301, and to present proposals for possible future action,

*Recalling also* Commission on Crime Prevention and Criminal Justice resolutions 22/7 on strengthening international cooperation to combat cybercrime and 22/8 on promoting technical assistance and capacity-building to strengthen national measures and international cooperation against cybercrime, of 26 April 2013,[18]

*Concerned* at the growing trend of cybercrime within and across national borders and the misuse of information and telecommunications technologies in multiple forms of crime that is made possible by increasingly rapid technological advances,

*Concerned also* by the serious challenges and threats posed by trafficking in firearms, their parts and components and ammunition, and about its links with terrorism and other forms of transnational organized crime, including drug trafficking,

[18] See *Official Records of the Economic and Social Council, 2013, Supplement No. 10* and corrigendum (E/2013/30 and Corr.1), chap. I, sect. D.

*Noting* international efforts to prevent, combat and eradicate the illicit trade in conventional arms, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[19] the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,[20] and the entry into force in 2014 of the Arms Trade Treaty,[21]

*Reaffirming* the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem[22] adopted by the General Assembly at its sixty-fourth session, and welcoming the outcome document entitled "Our joint commitment to effectively addressing and countering the world drug problem",[23] adopted at the thirtieth special session of the General Assembly on the world drug problem, held in New York from 19 to 21 April 2016,

1. *Takes note with appreciation* of the report of the Secretary-General prepared pursuant to resolutions 64/293 and 69/195, 69/197 and 69/199 of 18 December 2014 and 70/178;[24]

2. *Reaffirms* its resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels;

3. *Calls upon* all Member States, when appropriate, to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[6] adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, when formulating legislation and policy directives, and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

4. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[1] the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[2] the Convention on Psychotropic Substances of 1971,[3] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[4] the United Nations Convention against

[19] *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[20] United Nations, *Treaty Series*, vol. 2326, No. 39574.

[21] See resolution 67/234 B.

[22] See *Official Records of the Economic and Social Council, 2009, Supplement No. 8* (E/2009/28), chap. I, sect. C.

[23] Resolution S-30/1, annex.

[24] A/71/114.

Corruption[5] and the international conventions and protocols related to terrorism, and urges States parties to those conventions and protocols to make efforts towards their effective implementation;

5. *Reaffirms* that the United Nations Convention against Transnational Organized Crime and the Protocols thereto represent the most important tools of the international community for fighting transnational organized crime, and notes with appreciation that the number of States parties has reached 187, which is a significant indication of the commitment shown by the international community to combating transnational organized crime;

6. *Recalls* article 32 of the United Nations Convention against Transnational Organized Crime[8] and General Assembly resolution 69/197, in which, inter alia, the need for the establishment of a mechanism to review the implementation of the Convention and the Protocols thereto by States parties was reiterated, underlines that the review of the implementation of the Convention is an ongoing and gradual process and that it is necessary to explore all options regarding the establishment of a mechanism to assist the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in the review of the implementation of the Convention and the Protocols thereto, welcomes in this regard the report of the open-ended intergovernmental group,[25] and invites Member States to continue the dialogue in this regard;

7. *Urges* States parties to the United Nations Convention against Corruption to continue to provide full support to the review mechanism adopted by the Conference of the States Parties to the United Nations Convention against Corruption, and notes with appreciation that the number of States parties has reached 180, which is a significant indication of the commitment shown by the international community to preventing and combating corruption and related crimes;

8. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and calls upon States parties to give full effect to the resolutions adopted by those bodies, including providing information regarding compliance with the treaties;

9. *Encourages* Member States to strengthen the capacity of their respective criminal justice systems to investigate, prosecute and punish all forms of crime, while supporting an effective, fair, humane and accountable criminal justice system and protecting the human rights and fundamental freedoms of defendants, as well as the legitimate interests of victims and witnesses, and to adopt and reinforce measures to ensure access to effective legal aid in criminal justice systems;

10. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, to strengthen the rule of law, taking also into account the work undertaken by other United Nations entities, within existing mandates, and to continue to ensure coordination and coherence, including through the Rule of Law Coordination and Resource Group of

[25] See CTOC/COP/WG.8/2016/2.

the Secretariat and the joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations;

11. *Reiterates* the importance of providing the United Nations crime prevention and criminal justice programme with sufficient, stable and predictable funding for the full implementation of its mandates;

12. *Encourages* all States to have national and local action plans for crime prevention, in order to take into account, in a comprehensive, integrated and participatory manner, inter alia, factors that place certain populations and places at higher risk of victimization and/or of offending, and to ensure that such plans are based on the best available evidence and good practices, and stresses that crime prevention should be considered an integral element of strategies to foster social and economic development in all States, in accordance with the commitments contained in General Assembly resolutions 70/1 and 70/299;

13. *Urges* Member States and relevant international organizations to develop national, subregional, regional and international strategies, as appropriate, and other necessary measures, including the establishment of effective national central authorities dedicated to both domestic and international coordination in the receiving, execution and transmittal of mutual legal assistance requests, in cooperation with the United Nations crime prevention and criminal justice programme, in order to effectively address transnational organized crime, and to strengthen all forms of cooperation to enable the return of stolen assets acquired from corruption, in accordance with the provisions of the United Nations Convention against Corruption for asset recovery, in particular chapter V, with the cooperation of the United Nations Office on Drugs and Crime, within its existing mandate;

14. *Reaffirms* the importance of the United Nations crime prevention and criminal justice programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices in respect of all forms of organized crime, including piracy and transnational organized crime committed at sea, cybercrime, the use of new information technologies to abuse and exploit children, as well as identity-related crime, trafficking in cultural property, illicit financial flows, economic, financial, corporate and tax crime, trafficking in precious metals and stones, counterfeiting in trademark goods, crimes that affect the environment and illicit trafficking in endangered species of wild fauna and flora, drug trafficking, trafficking in persons, smuggling of migrants and illicit manufacturing of and trafficking in firearms, direct and indirect trade in oil and refined oil products with organized criminal and terrorist groups, as well as corruption and terrorism;

15. *Calls upon* Member States to strengthen cooperation at the international, regional, subregional and bilateral levels to counter the threat posed by foreign terrorist fighters, including through enhanced operational and timely information-

sharing, logistical support, as appropriate, and capacity-building activities, such as those provided by the United Nations Office on Drugs and Crime, to share and adopt best practices to identify foreign terrorist fighters, to prevent the travel of foreign terrorist fighters from, into or through Member States, to prevent the financing, mobilization, recruitment and organization of foreign terrorist fighters, to counter violent extremism and radicalization to violence, which can be conducive to terrorism, to enhance efforts to implement deradicalization programmes and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in the supporting of terrorist acts is brought to justice, in compliance with obligations under international law, as well as applicable domestic law;

16. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices, foster cooperation and take advantage of their unique and comparative advantage;

17. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its country and regional offices in building capacity at the local level in the field of crime prevention and criminal justice, and urges the Office to consider regional vulnerabilities, projects and impacts in the fight against transnational organized crime in all its forms, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

18. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to support, in an effective manner, efforts towards the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Corruption, and to discharge its functions as the secretariat of the conferences of the parties to the conventions, the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs, as well as the United Nations congresses on crime prevention and criminal justice, in accordance with its mandate, and requests the secretariat to enhance its support to the Commissions to enable them to actively contribute to the global follow-up and thematic review of the Sustainable Development Goals in accordance with resolution 70/299;

19. *Urges* all Member States to provide the fullest possible financial and political support to the United Nations Office on Drugs and Crime by widening its donor base and increasing voluntary contributions, in particular general purpose contributions, so as to enable it to continue, expand, improve and strengthen, within its mandates, its operational and technical cooperation activities;

20. *Expresses concern* regarding the overall financial situation of the United Nations Office on Drugs and Crime, emphasizes the need to provide the Office with adequate, predictable and stable resources and to ensure their cost-effective

utilization, and requests the Secretary-General, also considering the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office, to continue to report, within existing reporting obligations, on the financial situation of the Office and to continue to ensure that the Office has sufficient resources to carry out its mandates fully and effectively;

21. *Invites* States and other interested parties to make further voluntary contributions to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and to the United Nations Trust Fund on Contemporary Forms of Slavery;

22. *Calls upon* Member States to intensify national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination;

23. *Emphasizes* the importance of protecting vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and in this regard expresses its concern about the increase in the activities of transnational and national organized criminal groups and others who profit from crimes against migrants, especially women and children, without regard for dangerous and inhumane conditions and in flagrant violation of national laws and international law;

24. *Calls upon* Member States to implement, when appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[26] adopted in its resolution 70/175, bearing in mind their spirit and purpose, and to intensify their efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and to improve access to legal aid to the extent possible, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, in this respect;

25. *Invites* Member States to mainstream a gender perspective into their criminal justice systems, including by the use of non-custodial measures for women, when appropriate, and by improving the treatment of women prisoners, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[27] and by developing and implementing national strategies and plans to promote the full protection of women and girls from all acts of violence and to strengthen the crime prevention and criminal justice response to the gender-related killing of women and girls, in particular by taking measures to support the practical capacity of Member States to prevent, investigate, prosecute and punish all forms of such crime, and welcomes in this respect the practical tools recommended by the open-ended

[26] Resolution 70/175, annex.
[27] Resolution 65/229, annex.

intergovernmental expert group on gender-related killing of women and girls at its meeting held in Bangkok from 11 to 13 November 2014;[28]

26. *Also invites* Member States to integrate child- and youth-related issues into their criminal justice reform efforts, recognizing the importance of protecting children from all forms of violence, exploitation and abuse, consistent with the obligations of parties under relevant international instruments, and to develop comprehensive child-sensitive justice policies focused on the best interests of the child, consistent with the principle that the deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time;

27. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing their abilities and strengthening their capacity to prevent and combat kidnapping, and requests the Office to continue to provide technical assistance, with a view to fostering international cooperation, in particular mutual legal assistance, aimed at countering effectively this growing serious crime;

28. *Calls upon* Member States to reinforce international cooperation for preventing and combating the smuggling of migrants and for the prosecution of smugglers, in accordance, as appropriate, with article 6 of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[29] and with national laws and legislation, while effectively protecting the rights and respecting the dignity of smuggled migrants, consistent with the principles of non-discrimination and other applicable obligations under relevant international law, taking into account the special needs of women, children, especially when unaccompanied, and persons with disabilities and older persons, and in collaboration with international organizations, civil society and the private sector, and in this regard calls upon the United Nations Office on Drugs and Crime to continue its technical assistance to Member States in accordance with the above-mentioned Protocol;

29. *Encourages* Member States to ensure that, in investigating and prosecuting the smuggling of migrants, the concurrent undertaking of financial investigations is considered, with a view to tracing, freezing and confiscating proceeds acquired through that crime, and to consider the smuggling of migrants to be a predicate offence of money-laundering;

30. *Emphasizes* the importance of preventing and combating all forms of trafficking in persons, and in this regard expresses its concern about the activities of transnational and national organized criminal groups and others who profit from such crimes, including for the purpose of organ removal, and calls upon Member States to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[30] as well as to strengthen national efforts to combat all forms of trafficking in persons and to protect and assist the victims of

[28] See E/CN.15/2015/16.
[29] United Nations, *Treaty Series*, vol. 2241, No. 39574.
[30] Ibid., vol. 2237, No. 39574.

trafficking in accordance with all relevant legal obligations and in collaboration with international organizations, civil society and the private sector;

31. *Reiterates its request* to the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism, including the phenomenon of foreign terrorist fighters and its financial sources, through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and its Executive Directorate, as well as to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office with appropriate resources for its mandate;

32. *Urges* the United Nations Office on Drugs and Crime to continue to provide, within its mandate, technical assistance to Member States, upon their request, to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, in accordance with United Nations-related instruments and international standards, including, where applicable, standards and relevant initiatives of regional, interregional and multilateral organizations and intergovernmental bodies against money-laundering, inter alia and as appropriate, the Financial Action Task Force, in accordance with national legislation;

33. *Encourages* Member States to enhance the effectiveness of countering criminal threats to the tourism sector, including terrorist threats, through, when appropriate, the activities of the United Nations Office on Drugs and Crime and other relevant international organizations, in cooperation with the World Tourism Organization and the private sector;

34. *Affirms* that attacks intentionally directed against buildings dedicated to religion, education, art, science or charitable purposes, or historic monuments, may amount to war crimes; stresses the importance of holding accountable perpetrators of attacks intentionally directed against the above-mentioned buildings, provided that they are not military objectives, and calls upon all States to take appropriate action to this end within their jurisdiction in accordance with applicable international law;

35. *Urges* States parties to make effective use of the United Nations Convention against Transnational Organized Crime for broad cooperation in preventing and combating all forms and aspects of trafficking in cultural property and related offences, including money-laundering and the financing of terrorism, especially in returning such confiscated proceeds of crime or property to their legitimate owners, in accordance with article 14, paragraph 2, of the Convention, and invites States parties to exchange information and statistical data on all forms and aspects of trafficking in cultural property and related offences, and reaffirms in this regard the importance of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, adopted in its resolution 69/196;

36. *Urges* Member States to introduce effective national and international measures to prevent and combat illicit trafficking in cultural property, including publicizing legislation, international guidelines and related technical background documents, and offering special training for police, customs and border services, and invites Member States to make trafficking in cultural property, including stealing from and looting of archaeological and other cultural sites, a serious crime, as defined in article 2 of the United Nations Convention against Transnational Organized Crime;

37. *Also urges* Member States to take decisive steps at the national level to prevent, combat and eradicate the illegal trade in wildlife, on both the supply and demand sides, including by strengthening the legislation necessary for the prevention, investigation and prosecution of such illegal trade, as well as by strengthening enforcement and criminal justice responses, in accordance with national legislation and international law, acknowledging that the International Consortium on Combating Wildlife Crime can provide valuable technical assistance in this regard;

38. *Calls upon* Member States to make illicit trafficking in protected species of wild fauna and flora and in hazardous waste involving organized criminal groups a serious crime in accordance with their national legislation and with article 2 (b) of the United Nations Convention against Transnational Organized Crime;

39. *Also calls upon* Member States to take appropriate and effective measures to prevent and combat trafficking in precious metals and stones by organized criminal groups, including, where appropriate, the adoption and effective implementation of the legislation necessary for the prevention, investigation and prosecution of illicit trafficking in precious metals and stones;

40. *Encourages* Member States to continue to support the United Nations Office on Drugs and Crime in providing targeted technical assistance, within its existing mandate, to enhance the capacity of affected States, upon their request, to combat piracy and other forms of crime committed at sea, including by assisting Member States in creating an effective law enforcement response and strengthening their judicial capacity;

41. *Notes with appreciation* the work of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, and calls upon Member States to explore specific measures designed to create a secure and resilient cyberenvironment, to prevent and counter effectively criminal activities carried out over the Internet, paying particular attention to identity theft, recruitment for the purpose of trafficking in persons and protecting children from online exploitation and abuse, to strengthen law enforcement cooperation at the national and international levels, including with the aim of identifying and protecting victims by, inter alia, removing child pornography, in particular child sexual abuse imagery, from the Internet, to enhance the security of computer networks and protect the integrity of relevant infrastructure, and to endeavour to provide long-term technical assistance and capacity-building to strengthen the ability of national authorities to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms;

42. *Encourages* Member States to strengthen their efforts in combating cybercrime and all forms of criminal abuse of information and telecommunications technologies, and to enhance international cooperation in this regard;

43. *Requests* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address the links with other forms of transnational organized crime, through, inter alia, legislative assistance, technical support and improved data collection and analysis;

44. *Calls upon* Member States to intensify all efforts to address the world drug problem, based upon the principle of common and shared responsibility and through a comprehensive and balanced approach, including through more effective bilateral, regional and international cooperation among judicial and law enforcement authorities, to counter the involvement of organized criminal groups in illicit drug production and trafficking and related criminal activities and to take steps to reduce the violence that accompanies drug trafficking;

45. *Recommends* that Member States, as appropriate to their national contexts, adopt a comprehensive and integrated approach to crime prevention and criminal justice reform, based on baseline assessments and data collection and focusing on all sectors of the justice system, and develop crime prevention policies, strategies and programmes, including ones that focus on early prevention by using multidisciplinary and participatory approaches, in close cooperation with all stakeholders, including civil society, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, to Member States for this purpose;

46. *Invites* Member States to develop national plans for the gradual adoption of the International Classification of Crime for Statistical Purposes and to strengthen national statistical systems of criminal justice, requests the United Nations Office on Drugs and Crime, within its existing mandate, to continue to strengthen the regular collection, analysis and dissemination of accurate, reliable and comparable data and information, including, as appropriate, data disaggregated by sex, age and other relevant criteria, and strongly encourages Member States to share such data and information with the Office;

47. *Requests* the United Nations Office on Drugs and Crime to continue to develop, in close cooperation with Member States, technical and methodological tools and trend analyses and studies to enhance knowledge of crime trends and support Member States in designing appropriate responses in specific areas of crime, in particular in their transnational dimension, taking into account the need to make the best possible use of existing resources;

48. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

49. *Requests* the United Nations Office on Drugs and Crime, in collaboration and close consultation with Member States and within existing resources, to continue to support the enhancement of capacity and skills in the field of forensic sciences, including the setting of standards, and the development of technical assistance material for training, such as manuals, compilations of useful practices and guidelines and scientific and forensic reference material, for law enforcement officials and prosecution authorities, and to promote and facilitate the establishment and sustainability of regional networks of forensic science providers in order to enhance their expertise and capacity to prevent and combat transnational organized crime;

50. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-second session on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, reflecting also emerging policy issues and possible responses.

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**Seventy-first session**
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Agenda item 64 (a)
**Promotion and protection of the rights of children: promotion and protection of the rights of children**

**Canada, Iceland, Italy, Mongolia, Netherlands, Peru, United Kingdom of Great Britain and Northern Ireland and Zambia: draft resolution**

## Child, early and forced marriage

*The General Assembly*,

*Reaffirming* its resolution 69/156 of 18 December 2014 on child, early and forced marriage,

*Recalling* its resolutions 70/138 of 17 December 2015 on the girl child and 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls, as well as Human Rights Council resolution 29/8 of 2 July 2015, entitled "Strengthening efforts to prevent and eliminate child, early and forced marriage",[1] and all other previous resolutions relating to child, early and forced marriage,

*Guided* by the Universal Declaration of Human Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the International Covenant on Civil and Political Rights,[3] as well as other relevant human rights instruments, including the Convention on the Rights of the Child[4] and the Convention on the Elimination of All Forms of Discrimination against Women,[5] together with the relevant Optional Protocols thereto,[6]

[1] *See Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. V.
[2] Resolution 217 A (III).
[3] See resolution 2200 A (XXI), annex.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[5] Ibid., vol. 1249, No. 20378.
[6] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex; and United Nations, *Treaty Series*, vol. 2131, No. 20378.



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*Reaffirming* the Vienna Declaration and Programme of Action,[7] as well as the Programme of Action of the International Conference on Population and Development,[8] the Beijing Declaration and Platform for Action[9] and the outcome documents of their review conferences,

*Reaffirming* the agreed conclusions adopted by the Commission on the Status of Women at its fifty-eighth[10] and sixtieth[11] sessions,

*Welcoming* the adoption of the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[12] and noting in particular target 5.3 to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation,

*Welcoming* the United Nations Population Fund-United Nations Children's Fund Global Programme to Accelerate Action to End Child Marriage, launched in March 2016, as well as regional, national and subnational initiatives to end child, early and forced marriage, including the African Union Campaign to End Child Marriage and the Regional Action Plan to End Child Marriage in South Asia, and further encouraging coordinated approaches to action at all levels,

*Taking note with appreciation* of the report of the Secretary-General,[13]

*Deeply concerned* about the continued prevalence of child, early and forced marriage worldwide, including the fact that there are still approximately 15 million girls married every year before they reach 18 years of age and that more than 720 million women and girls alive today were married before their eighteenth birthday,

*Recognizing* that child, early and forced marriage is a harmful practice that violates, abuses and impairs the enjoyment of human rights, causes and perpetuates other harmful practices and human rights violations and is a form of violence against women and girls and that such violations have a disproportionately negative and wide-ranging impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

*Recognizing also* that deep-rooted gender inequalities, norms and stereotypes and harmful practices, perceptions and customs are obstacles to the full enjoyment of human rights and the empowerment of all women and girls and are among the primary causes of child, early and forced marriage and that the persistence of child, early and forced marriage places children, in particular girls, at greater risk of being

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[7] A/CONF.157/24 (Part I), chap. III.

[8] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] *Official Records of the Economic and Social Council, 2014, Supplement No. 7* (E/2014/27), chap. I, sect. A.

[11] Ibid., *2016, Supplement No. 7* (E/2016/27), chap. I, sect. A.

[12] Resolution 70/1.

[13] A/71/253.

exposed to and encountering various forms of discrimination and violence throughout their lives,

*Recognizing further* that poverty, lack of education, conflict and humanitarian crises are among the exacerbating factors that can contribute to the practice of child, early and forced marriage and that child, early and forced marriage remains common in rural areas and among the poorest communities, and recognizing that the immediate alleviation and eventual eradication of extreme poverty must remain a high priority for the international community,

*Recognizing* that child, early and forced marriage undermines women's and girls' autonomy and decision-making in all aspects of their lives, including their sexual and reproductive health and rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action[14] and the outcome documents of their review conferences, and that the empowerment of and investment in women and girls, as well as their full, equal and effective participation at all levels of decision-making, are key factors in breaking the cycle of gender inequality and discrimination, violence and poverty and are critical, inter alia, for sustainable development, peace, security, democracy and inclusive economic growth,

*Recognizing also* that raising awareness of the harmful consequences of child, early and forced marriage, and engaging with men and boys, can contribute to promoting social norms that support efforts by girls and their families to delay the age of marriage,

*Noting with concern* that child, early and forced marriage disproportionally affects girls who have received little or no formal education and is itself a significant obstacle to educational opportunities for girls and young women, in particular girls who are forced to drop out of school owing to marriage, pregnancy and/or motherhood,

*Recognizing* that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence, which inflicts mental harm and suffering that can impact their physical health further and over the course of their lives,

*Recognizing also* that women and girls are more vulnerable to sexual and gender-based violence and exploitation and that child, early and forced marriage can increase during humanitarian crises and situations of forced migration, especially in situations of conflict, natural disaster and displacement, and that this issue is not being adequately addressed and requires coordinated action at the early stages of emergencies and humanitarian crises, in addition to more research to support effective interventions and strong protection measures and infrastructure to address increased vulnerability of girls to violence, sexual assault and poverty,

[14] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

1. *Calls upon* States, with the participation of relevant stakeholders, including women and girls, parents, families, religious, traditional and community leaders, civil society, girls' organizations, feminist, youth and human rights groups, men and boys, the media and the private sector, to develop and implement holistic, comprehensive and coordinated responses and strategies to eliminate child, early and forced marriage, to support married, separated, divorced and widowed girls, adolescents and women who were married as girls, girls fleeing the threat or situations of child, early and forced marriage and women and girls in informal unions, including through the strengthening of child protection systems, protection mechanisms, access to services and the sharing of best practices across borders;

2. *Also calls upon* States to ensure that women and girls have equal rights in law and in practice with men and boys in all matters pertaining to marriage, divorce, child custody, citizenship, property and inheritance and the economic consequences of marriage and its dissolution, including laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and to amend discriminatory laws and policies such as those exempting punishment for perpetrators of rape, sexual abuse or abduction who marry their victims or those that allow for marital rape;

3. *Further calls upon* States to require and enforce birth and marriage registration, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration, especially for individuals living in rural and remote areas, and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

4. *Urges* States to enact, build awareness of, enforce and uphold a minimum age of marriage law, to progressively amend laws, including customary law, with lower ages of marriage and/or age of majority to bring them towards the age of 18, to harmonize laws, including customary, religious, subnational and local laws and in federal systems and to encourage local authorities to raise the minimum age and implement the law;

5. *Calls upon* States to promote the meaningful participation and active consultation of children and young people, including girls, in all issues affecting them and to create awareness about their rights, including the negative impact of child, early and forced marriage, inter alia, through child-friendly safe spaces and peer groups, forums and support networks that provide girls and boys with information, life skills and leadership skills training and provide opportunities to be empowered, to express themselves, to participate in decision-making and to become agents of change within their communities;

6. *Also calls upon* States and encourages other stakeholders to address social norms, gender stereotypes and harmful practices that contribute to the acceptance and continuation of the practice of child, early and forced marriage, including by raising awareness within communities of its harm to the victims and the cost to society at large and by providing opportunities for discussion among others, within communities, including with the involvement of unmarried girls and already married girls, adolescents and women, religious, traditional and community

leaders, men and boys, parents and families on the benefits of delaying marriage and ensuring that girls receive an education;

7. *Further calls upon* States to promote and protect the right of women and girls to education through enhanced emphasis on free, equitable and quality primary and secondary education, including catch-up and literacy education for those who have not received formal education or have left school early, including because of marriage and/or childbearing, which empowers young women and girls to make informed decisions about their lives, employment, economic opportunities and health, including through scientifically accurate age-appropriate comprehensive sexuality education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, with information on sexual and reproductive health;

8. *Urges* States to prevent and eliminate child, early and forced marriage by removing barriers to education, including by ensuring married and/or pregnant girls and mothers continue to have access to schooling, improving access to formal education and skills development for those living in remote or insecure areas, improving the safety of girls at and on the way to and from school, providing safe, and adequate sanitation, including for menstrual hygiene management, and adopting policies to prohibit, prevent and address violence against children, especially girls, including sexual harassment and bullying and other forms of violence;

9. *Urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty and lack of economic opportunities for women and girls as drivers of child, early and forced marriage, including by ensuring women's and girls' equal access to economic assets and social protection, including direct financial support and microcredit for girls, families and guardians to encourage girls to continue their education, to develop livelihood opportunities through access to technical and vocational education and training and life skills education, including financial literacy and to promote women's equal access to full and productive employment and decent work, as well as equal political participation;

10. *Urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women and girls about their rights under relevant laws, training law enforcement officers and professionals working with children and monitoring how they handle cases of child, early and forced marriage, improving legal infrastructure and removing all barriers to access to legal counselling, assistance and remedies;

11. *Urges* Governments to promote and protect the right of all women and girls to the highest attainable standard of physical and mental health through the development and enforcement of policies and legal frameworks and the strengthening of health systems, including health information systems, that make universally accessible and available quality, gender-responsive, child and adolescent-friendly health services, comprehensive sexual and reproductive health-care services, information and commodities, HIV and AIDS prevention, treatment and care, mental health services and nutrition interventions;

12. *Also urges* Governments to promote and protect the human rights of all women and girls, including their right to have control over and decide freely and

responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development,[8] the Beijing Platform for Action[14] and the outcome documents of their review conferences;

13. *Urges* States and other relevant actors to involve girls from the early stages of humanitarian crisis situations and throughout situations of protracted displacement and incorporate their issues in assessments and planning, integrate prevention of gender-based violence and child, early and forced marriage and support for married girls across sectors, including health and education, in any humanitarian response from the early stages of crises, with strong protection measures and infrastructure to address increased vulnerability of girls to violence, sexual assault and poverty and conduct further research on child, early and forced marriage in humanitarian situations to understand how programmes can be adapted to such settings;

14. *Encourages* relevant United Nations entities and agencies, regional and subregional organizations, civil society and other relevant actors and human rights mechanisms to continue to collaborate with and support Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, as well as to support already married girls, adolescents and women;

15. *Affirms* the need for States to improve the collection and use of quantitative, qualitative and comparable data on violence against women and harmful practices, disaggregated by sex, age, disability, civil status, race, ethnicity, migratory status, geographical location, socioeconomic status, education level and other key factors, improve research and dissemination of evidence-based and good practices relating to the prevention and elimination of child, early and forced marriage and strengthen monitoring and impact assessment of existing policies and programmes as a means of ensuring their effectiveness and implementation;

16. *Urges* Governments to contribute to accountability on ending child, early and forced marriage by reporting on progress to eliminate child, early and forced marriage through relevant reporting mechanisms, such as international treaty monitoring bodies and the national voluntary reviews conducted through the high-level political forum on sustainable development;

17. *Requests* the Secretary-General to submit a comprehensive report to the General Assembly, before the end of its seventy-second session, on progress made towards ending child, early and forced marriage and action-oriented recommendations for eliminating this practice, recognizing the linkages between ending child, early and forced marriage and other goals and targets agreed upon in the 2030 Agenda for Sustainable Development,[12] using information provided by Member States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders;

18. *Also requests* that the Secretary-General host a high-level panel to contribute to the above-mentioned report, at the sixty-second session of the

Commission on the Status of Women, and that he include Member States, United Nations bodies, agencies, funds and programmes, civil society, and other relevant stakeholders, especially adolescent girls, in the panel discussion;

19. *Decides* to consider the issue of child, early and forced marriage at its seventy-third session under the item entitled "Promotion and protection of the rights of children", taking into account the multifaceted and worldwide nature of the issue of child, early and forced marriage.

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**Seventy-first session**
**Third Committee**
Agenda item 27
**Advancement of women**

**Philippines: draft resolution**

## Trafficking in women and girls

*The General Assembly*,

*Reiterating its strong condemnation* of trafficking in persons, especially women and children, which constitutes a serious threat to human dignity, human rights and development,

*Recalling* all international conventions that deal specifically with and address issues relevant to the problem of trafficking in women and girls, such as the United Nations Convention against Transnational Organized Crime[1] and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[3] the Convention on the Elimination of All Forms of Discrimination against Women[4] and the Optional Protocol thereto,[5] the Convention on the Rights of the Child[6] and the Optional Protocol thereto on the sale of children, child prostitution and child pornography,[7] and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,[8] as well as relevant resolutions of the General Assembly, the Economic and Social Council and its functional commissions and the Human Rights Council on the issue,

[1] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[2] Ibid., vol. 2237, No. 39574.
[3] Ibid., vol. 2241, No. 39574.
[4] Ibid., vol. 1249, No. 20378.
[5] Ibid., vol. 2131, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] Ibid., vol. 2171, No. 27531.
[8] Ibid., vol. 96, No. 1342.

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*Recognizing* the crucial importance of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which entered into force on 25 December 2003 and which provided, for the first time, an internationally agreed definition of the crime of trafficking in persons aimed at the prevention of trafficking in persons, the protection of victims and the prosecution of the perpetrators,

*Welcoming* the outcome of the seventh session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, held in Vienna from 6 to 10 October 2014, in which the Conference took a further step towards identifying an appropriate mechanism or mechanisms to review the implementation of the Convention and the Protocols thereto,[9]

*Reaffirming* the provisions pertaining to trafficking in women and girls contained in the outcome documents of relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women,[10]

*Reaffirming also* the commitment made by world leaders at the Millennium Summit, the 2005 World Summit and the high-level plenary meeting of the General Assembly on the Millennium Development Goals to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons in order to counter the demand for trafficked victims and to protect the victims,

*Welcoming* the adoption of the 2030 Agenda for Sustainable Development,[11] and acknowledging that the 2030 Agenda covers the elimination of all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation,

*Welcoming also* the adoption of the outcome document of the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, entitled the "New York Declaration for Refugees and Migrants",[12] in which it recognized that refugees and migrants in large movements are at greater risk of being trafficked and of being subjected to forced labour,

*Welcoming in particular* the efforts of States, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children, including the United Nations Global Plan of Action to Combat Trafficking in Persons adopted by the General Assembly in its resolution 64/293 of 30 July 2010,

*Recognizing* the urgency of combating trafficking in persons in all its forms, including for the purposes of forced or compulsory labour, particularly of women migrant workers, and in this regard taking note of the adoption by the International Labour Conference on 11 June 2014, at its 103rd session, of the Protocol to the Forced Labour Convention, 1930 (No. 29), and of the Forced Labour

[9] See CTOC/COP/2014/13, chap. I, sect. A, resolution 7/1.

[10] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[11] Resolution 70/1.

[12] Resolution 71/1.

(Supplementary Measures) Recommendation, 2014 (No. 203), of the International Labour Organization,

*Welcoming*, in the agreed conclusions adopted by the Commission on the Status of Women at its sixtieth session,[13] the commitment of Governments to ensure that the rights and specific needs of women and girls affected and displaced by trafficking in persons are addressed in national and international plans, strategies and responses,

*Noting with appreciation* the steps taken, including the reports of human rights treaty bodies and the Special Rapporteurs of the Human Rights Council on trafficking in persons, especially women and children, on violence against women, its causes and consequences, on the sale of children, child prostitution and child pornography, and on contemporary forms of slavery, including its causes and consequences, and the Special Representative of the Secretary-General on Violence against Children, and by United Nations agencies and other concerned intergovernmental and governmental organizations, within their existing mandates, as well as civil society, to address the serious crime of trafficking in persons, and encouraging them to continue doing so and to share their knowledge and best practices as widely as possible,

*Noting* the renewal by the Human Rights Council, at its twenty-sixth session, of the mandate of the Special Rapporteur on trafficking in persons, especially women and children,[14] and the fact that part of her task is to integrate a gender- and age-specific perspective throughout the work of her mandate, inter alia, through the identification of gender- and age-specific vulnerabilities in relation to the issue of trafficking in persons,

*Acknowledging* the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court,[15] which entered into force on 1 July 2002,

*Bearing in mind* the obligations of States to exercise due diligence to prevent trafficking in persons, to investigate and punish perpetrators of trafficking in persons and to protect and empower victims, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

*Seriously concerned* that an increasing number of women and girls are being trafficked, including to developed countries, as well as within and between regions and States, and that men and boys are also victims of trafficking, including for sexual exploitation,

*Recognizing* that certain efforts against trafficking in persons lack the gender and age sensitivity needed to effectively differentiate between and respond to the risks faced by women and girls, who are particularly vulnerable to trafficking for the purposes of sexual exploitation, forced marriage, forced labour, services and

[13] See *Official Records of the Economic and Social Council, 2016, Supplement No. 7* (E/2016/27), chap. I, sect. A.

[14] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[15] United Nations, *Treaty Series*, vol. 2187, No. 38544.

other forms of exploitation, thus highlighting the need to incorporate a gender- and age-sensitive approach into all anti-trafficking efforts,

*Recognizing also* the need to address the impact of globalization on the particular problem of trafficking in women and children, in particular girls,

*Recognizing further* that poverty, unemployment, lack of socioeconomic opportunities, gender-based violence, discrimination and marginalization are some of the contributing factors that make persons vulnerable to trafficking,

*Recognizing* the heightened vulnerability to trafficking of women and girls in humanitarian crisis situations, including in conflict and post-conflict environments, natural disasters and other emergency environments, as well as the devastating consequences for women and girls in such circumstances, and noting in this regard the Migrants in Countries in Crisis initiative and the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change resulting from the Nansen Initiative,

*Recognizing also* the need to reinforce efforts regarding the provision of relevant documents, such as birth registration documents, in order to lower the risk of being trafficked and to help to identify victims of trafficking in persons,

*Recognizing further* that, despite the progress made, challenges to preventing and combating trafficking in women and girls remain and that further efforts should be made to adopt adequate legislation and programmes to implement such legislation and to continue improving the collection of reliable data disaggregated by sex and age and of statistics that would allow proper analysis of the nature, extent and risk factors of trafficking in women and girls,

*Recognizing* that further work is required both to better understand the link between migration and trafficking in persons and to develop more effective responses to eliminate the risk of trafficking in the migration process in order to, inter alia, further efforts to protect women migrant workers from violence, discrimination, exploitation and abuse,

*Concerned* about the use of new information and communications technologies, including the Internet, for purposes of recruiting for the exploitation of the prostitution of others, including for exploiting women and children and for child pornography, paedophilia and any other forms of sexual exploitation of children, as well as for forced marriage and forced labour,

*Concerned also* about the increasing activities of transnational criminal organizations and others that profit from international trafficking in persons, especially women and children, without regard to dangerous and inhuman conditions and in flagrant violation of national laws and international standards,

*Noting with concern* that women and girls are also vulnerable to the risk of trafficking in persons for the purpose of organ removal, and in this regard taking note of Commission on Crime Prevention and Criminal Justice resolution 25/1, entitled "Preventing and combating trafficking in human organs and trafficking in

persons for the purpose of organ removal",[16] adopted by the Commission at its twenty-fifth session,

*Recognizing* that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination and violence, including on the grounds of their gender, age, ethnicity, disability, culture and religion, as well as their origin, and that those forms of discrimination themselves may fuel trafficking in persons,

*Noting with concern* that some of the demand fostering sexual exploitation, exploitative labour and the illegal removal of organs is met by trafficking in persons,

*Acknowledging* that women and girl victims of trafficking, on account of their gender, are further disadvantaged and marginalized by a general lack of information on or awareness and recognition of their human rights and by the stigmatization often associated with trafficking, as well as by the obstacles they meet in gaining access to accurate information and recourse mechanisms in cases of the violation of their rights, and that special measures are required for their protection and to increase their awareness,

*Reaffirming* the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on best practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

*Reaffirming also* that global efforts, including international cooperation and technical assistance programmes, to eradicate trafficking in persons, especially women and children, demand the strong political commitment, coordinated and coherent efforts and active cooperation of all Governments of countries of origin, transit and destination,

*Recognizing* that policies and programmes for prevention, protection, rehabilitation, repatriation and reintegration should be developed through a gender- and age-sensitive, comprehensive and multidisciplinary approach, with concern for the security of the victims and respect for the full enjoyment of their human rights and with the involvement of all actors in countries of origin, transit and destination,

*Convinced* of the need to protect and assist all victims of trafficking, with full respect for the human rights and dignity of the victims,

1. *Takes note with appreciation* of the report of the Secretary-General,[17] which provides information on measures by States and activities within the United Nations system to tackle trafficking in women and girls;

2. *Also takes note with appreciation* of the information submitted by Member States and United Nations entities on measures and activities taken to combat trafficking in women and girls, and urges Member States and United

[16] See *Official Records of the Economic and Social Council, 2016, Supplement No. 10* (E/2016/30), chap. I, sect. D.

[17] A/71/223.

Nations entities that have not done so to submit the requested information for inclusion in the report of the Secretary-General;

3. *Takes note* of the reports of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children;[18]

4. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] taking into consideration the central role of those instruments in the fight against trafficking in persons, and urges States parties to those instruments to implement them fully and effectively;

5. *Urges* Member States to consider signing and ratifying and States parties to implement the Convention on the Elimination of All Forms of Discrimination against Women[4] and the Optional Protocol thereto,[5] the Convention on the Rights of the Child[6] and the Optional Protocols thereto,[19] and the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[20] as well as the Forced Labour Convention, 1930 (No. 29)[21] and the Protocol thereto, the Labour Inspection Convention, 1947 (No. 81),[22] the Migration for Employment Convention (Revised), 1949 (No. 97),[23] the Discrimination (Employment and Occupation) Convention, 1958 (No. 111),[24] the Minimum Age Convention, 1973 (No. 138),[25] the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143),[26] the Private Employment Agencies Convention, 1997 (No. 181),[27] the Worst Forms of Child Labour Convention, 1999 (No. 182),[28] and the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization;

6. *Urges* Member States, the United Nations and other international, regional and subregional organizations, as well as civil society, including non-governmental organizations, the private sector and the media, to fully and effectively implement the relevant provisions of the United Nations Global Plan of Action to Combat Trafficking in Persons[29] and the activities outlined therein;

7. *Welcomes* the efforts of Governments, United Nations bodies and agencies and intergovernmental and non-governmental organizations to prevent and address the particular problem of trafficking in women and girls, and encourages them to further enhance their efforts and cooperation, including by sharing their knowledge, technical expertise and best practices as widely as possible;

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[18] A/71/303 and A/HRC/32/41.
[19] United Nations, *Treaty Series*, vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.
[20] United Nations, *Treaty Series*, vol. 2220, No. 39481.
[21] United Nations, *Treaty Series*, vol. 39, No. 612.
[22] Ibid., vol. 54, No. 792.
[23] Ibid., vol. 120, No. 1616.
[24] Ibid., vol. 362, No. 5181.
[25] Ibid., vol. 1015, No. 14862.
[26] Ibid., vol. 1120, No. 17426.
[27] Ibid., vol. 2115, No. 36794.
[28] Ibid., vol. 2133, No. 37245.
[29] Resolution 64/293.

8. *Encourages* the Commission on the Status of Women to consider the issue of trafficking in women and girls at its sixty-first session, within the framework of the priority theme for 2017, "Women's economic empowerment in the changing world of work";

9. *Encourages* Member States, the United Nations system and other stakeholders to observe the World Day against Trafficking in Persons, in the context of the need to raise awareness of the situation of victims of trafficking in persons and for the promotion and protection of their rights;

10. *Encourages* the United Nations system to mainstream, as appropriate, the issue of trafficking in persons, especially women and girls, into its broader policies and programmes aimed at addressing economic and social development, human rights, the rule of law, good governance, education, health and natural disaster and post-conflict reconstruction;

11. *Welcomes* the continued focus given by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to ending violence against women and to increasing women's access to economic opportunities, as well as its work on building effective partnerships for the empowerment of women, which will contribute to the efforts to combat trafficking in persons;

12. *Calls upon* Governments to intensify their efforts to address, with a view to eliminating, the demand that fosters the trafficking of women and girls for all forms of exploitation and in this regard to put in place or to enhance preventive measures, including legislative and punitive measures to deter exploiters of trafficked persons, as well as ensure their accountability;

13. *Acknowledges* the drafting of the basic principles on the right to an effective remedy for victims of trafficking in persons;[30]

14. *Calls upon* Governments to strengthen measures aimed at advancing gender equality and empowering women and girls by, inter alia, enhancing their participation and leadership in society, including through education, economic empowerment and promoting an increase in the number of women assuming decision-making roles in both the public and private sectors, and to take further appropriate measures to address the increasing rate of homelessness of and inadequate housing for women in order to reduce their vulnerability to being trafficked;

15. *Also calls upon* Governments to take appropriate measures to address the root causes as well as risk factors that increase vulnerability to being trafficked, including poverty, gender-based discrimination and gender inequality, as well as other factors that encourage the particular problem of trafficking in women and girls for exploitation in prostitution and other forms of commercialized sex, forced marriage, forced labour and organ removal, in order to prevent and eliminate such trafficking, including by strengthening existing legislation, with a view to providing better protection of the rights of women and girls and to punishing perpetrators, including public officials engaging in or facilitating human trafficking, through, as appropriate, criminal and civil measures;

[30] A/69/269, annex.

16. *Calls upon* Governments, the international community and all other organizations and entities that deal with conflict, post-conflict, disaster and other emergency situations to address the heightened vulnerability of women and girls to trafficking and exploitation and associated gender-based violence and to include the prevention of the trafficking of affected women and girls in all such national, regional and international initiatives;

17. *Urges* Governments to devise, enforce and strengthen effective gender- and age-sensitive measures to combat and eliminate all forms of trafficking in women and girls, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy that integrates a human rights perspective, and to draw up, as appropriate, national action plans in this regard;

18. *Also urges* Governments to ensure that the prevention of and responses to trafficking in persons continue to take into account the specific needs of women and girls and their participation in and contribution to all phases of preventing and responding to trafficking, especially in addressing specific forms of exploitation, such as sexual exploitation;

19. *Further urges* Governments, in cooperation with intergovernmental and non-governmental organizations, to support and allocate resources to strengthen preventive action, in particular education for women and men, as well as for girls and boys, on gender equality, self-respect and mutual respect, and campaigns, carried out in collaboration with civil society, to increase public awareness of the issue at the national and grass-roots levels, including anti-trafficking awareness-raising campaigns targeted at groups that are at increased risk of becoming victims of trafficking, as well as at those who may fuel the demand for the exploitation of trafficked persons and/or their labour;

20. *Reiterates* the importance of continued coordination among, inter alia, the Special Rapporteurs of the Human Rights Council on trafficking in persons, especially women and children, on the sale of children, child prostitution and child pornography and on contemporary forms of slavery, including its causes and consequences, in order to avoid unnecessary duplication in their activities in fulfilment of their mandates;

21. *Urges* Governments to strengthen measures to eliminate sex tourism demand, especially for children, through all possible preventive actions, including legislative measures and other relevant policies and programmes;

22. *Encourages* the United Nations Office on Drugs and Crime, the World Tourism Organization and the United Nations Educational, Scientific and Cultural Organization to promote their global campaign urging travellers to support the fight against trafficking in persons, especially women and girls;

23. *Urges* Governments to develop age-appropriate educational and training programmes and policies aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

24. *Encourages* Member States to establish or strengthen national programmes and to engage in bilateral, subregional, regional and international

cooperation, including by forging regional initiatives or plans of action,[31] to address the problem of trafficking in persons through, inter alia, the enhancement of information-sharing, data disaggregated by sex and age, specific data collection and other technical capacities and mutual legal assistance, as well as the combating of corruption and laundering of proceeds derived from trafficking, including for purposes of commercial sexual exploitation, and to ensure, as appropriate, that such agreements and initiatives are particularly responsive to the problem of trafficking as it affects women and girls;

25. *Calls upon* all Governments to criminalize all forms of trafficking in persons, recognizing its increasing occurrence for purposes of sexual exploitation, commercial sexual exploitation and abuse, sex tourism and forced labour, and to bring to justice and punish the offenders and intermediaries involved, including public officials involved with trafficking in persons, whether local or foreign, through the competent national authorities, either in the country of origin of the offender or in the country in which the abuse occurs, in accordance with the due process of law, as well as to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

26. *Urges* Governments, in accordance with their respective legal systems, to take all appropriate measures, including through policies and legislation, to ensure that victims of trafficking are protected from prosecution or punishment for acts those victims have been compelled to commit as a direct consequence of having been trafficked and that the victims do not suffer from revictimization as a result of actions taken by Government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted or punished as a direct consequence of their illegal entry or residence;

27. *Invites* Governments to consider establishing or strengthening a national mechanism, with the participation of civil society, as appropriate, including non-governmental organizations, to ensure a holistic and coordinated approach to anti-trafficking policies and measures, to encourage the exchange of information and to report on data, root causes, factors and trends in trafficking in persons, especially women and girls, and to include data on victims of trafficking disaggregated by sex and age;

[31] Such as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, the Coordinated Mekong Ministerial Initiative against Trafficking, the Action Plan for the Asia-Pacific region of the Asian Regional Initiative against Trafficking in Persons, Especially Women and Children (see A/C.3/55/3, annex), the initiatives of the European Union on a comprehensive European policy and programmes on trafficking in human beings, as expressed most recently in the European Union plan on best practices, standards and procedures for combating and preventing trafficking in human beings, adopted in December 2005, the activities of the Council of Europe and the Organization for Security and Cooperation in Europe, the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the Organization of American States Meeting of National Authorities on Trafficking in Persons, the Agreement on the Cooperation of the Commonwealth of Independent States in Combating Trafficking in Persons, Human Organs and Tissues, and the activities of the International Labour Organization and the International Organization for Migration in this field.

28. *Invites* the Special Rapporteur on trafficking in persons, especially women and children, to continue to cooperate with international, regional and national mechanisms to combat trafficking in persons, in consultation with Governments, relevant treaty bodies, special procedures, the specialized agencies, intergovernmental organizations, civil society, including non-governmental organizations, national human rights institutions and other sources, including victims of trafficking or their representatives, as appropriate;

29. *Encourages* Governments and relevant United Nations bodies, from within existing resources, to take appropriate measures to raise public awareness of the issue of trafficking in persons, particularly women and girls, including the factors that make women and girls vulnerable to trafficking, to discourage, with a view to eliminating, the demand that fosters all forms of exploitation, including sexual exploitation and forced labour, to publicize the laws, regulations and penalties relating to this issue and to emphasize that trafficking is a serious crime;

30. *Calls upon* concerned Governments to allocate resources, as appropriate, to provide access to appropriate programmes for the physical, psychological and social recovery of victims of trafficking, including sexual and reproductive health-care services that include affordable treatment, care and support services for HIV/AIDS and sexually transmitted infections, free of stigma and discrimination, as well as comprehensive information and voluntary counselling, and to take measures to cooperate with intergovernmental and non-governmental organizations to provide for the social, medical and psychological care of the victims;

31. *Encourages* Governments, in cooperation with intergovernmental and civil society organizations, to undertake or strengthen campaigns aimed at clarifying opportunities, limitations, rights and responsibilities with respect to migration, as well as information on the risks of irregular migration and the ways and means used by traffickers, to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

32. *Calls upon* Governments to ensure coherence between the laws on and measures responding to migration, labour and trafficking to ensure that the human rights of migrant women and girls are protected throughout the migration and employment process and provide effective protection against trafficking;

33. *Invites* States, together with relevant United Nations entities, to undertake further research into the links between migration and trafficking to guide the development of age- and gender-sensitive interventions that address the vulnerability of women and girl migrants;

34. *Encourages* Governments to review and strengthen, as appropriate, the enforcement of relevant labour and other laws within their territories or jurisdictions that are aimed at, or have the effect of, requiring business enterprises, including recruitment agencies, to prevent and combat human trafficking in supply chains, and to periodically assess the adequacy of such laws and address any gaps;

35. *Invites* the business sector to consider the adoption of ethical codes of conduct to ensure decent work and to prevent any form of exploitative practices that foster trafficking;

36. *Encourages* Governments to intensify collaboration with non-governmental organizations to develop and implement gender- and age-sensitive programmes for effective counselling, training and reintegration into society of victims of trafficking and programmes that provide shelter and helplines to victims or potential victims;

37. *Urges* Governments to provide or strengthen training for, and to raise awareness among, law enforcement, judicial, immigration and other relevant officials on the prevention and combating of trafficking in persons, including the sexual exploitation of women and girls, and in this regard calls upon Governments to ensure that the treatment of victims of trafficking, especially by law enforcement officials, immigration officers, consular officials, social workers and other first response officials, is conducted with full respect for the human rights of those victims and with gender and age sensitivity and observes the principles of non-discrimination, including the prohibition of racial discrimination;

38. *Invites* Member States to provide training for law enforcement and border control officials, as well as medical personnel, in identifying potential cases of trafficking in persons for the purpose of organ removal;

39. *Invites* Governments to take steps to ensure that criminal justice procedures and witness protection programmes are sensitive to the particular situation of trafficked women and girls, and that they are supported and assisted, as appropriate, in making complaints to the police or other authorities, without fear, and are available, when required, by the criminal justice system, and to ensure that during this time they have access to gender- and age-sensitive protection and, as appropriate, social, medical, financial and legal assistance, including the possibility of obtaining compensation for damages suffered;

40. *Also invites* Governments to intensify efforts aimed at the speedy disposition of cases of trafficking in persons and, in cooperation with, inter alia, intergovernmental and non-governmental organizations, to devise, enforce and strengthen systems and mechanisms for combating trafficking in persons;

41. *Further invites* Governments to encourage media providers, including Internet service providers, to adopt or strengthen self-regulatory measures to promote the responsible use of media, particularly the Internet, with a view to eliminating the exploitation of women and children, in particular girls, which could foster trafficking;

42. *Invites* the business sector, in particular the tourism, travel and telecommunications industries, relevant recruitment agencies and mass media organizations, to cooperate with Governments in eliminating trafficking in women and children, in particular girls, including through the dissemination by the media of information regarding the dangers of trafficking, the means used by traffickers, the rights of trafficked persons and the services available to victims of trafficking;

43. *Stresses* the need for the systematic collection of data disaggregated by sex and age and comprehensive studies at both the national and the international levels and the development of common methodologies and internationally defined indicators to make it possible to develop relevant and comparable figures, and

encourages Governments to enhance information-sharing and data-collection capacity as a way of promoting cooperation to combat the trafficking problem;

44. *Invites* Governments, United Nations bodies, agencies and special mechanisms, intergovernmental and non-governmental organizations and the private sector to undertake collaborative and joint research and studies on trafficking in women and girls that can serve as a basis for policy formulation or change;

45. *Invites* Governments, with the support of the United Nations, when necessary, and other intergovernmental organizations, taking into account best practices, to formulate training manuals and other informational materials and to provide training for law enforcement, judicial and other relevant officials and medical and support personnel, with a view to sensitizing them to the special needs of women and girl victims;

46. *Encourages* Governments and relevant intergovernmental bodies and international organizations to ensure that military, peacekeeping and humanitarian personnel deployed in conflict, post-conflict and other emergency situations are provided with training on conduct that does not promote, facilitate or exploit trafficking in women and girls, including for sexual exploitation, and to raise the awareness of such personnel about the potential risks to victims of conflict and other emergency situations, including natural disasters, of being trafficked;

47. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Covenants on Human Rights[32] to include information and disaggregated statistics on trafficking in women and girls as part of their national reports to their respective committees and to work towards developing a common methodology and statistics to obtain comparable data;

48. *Invites* States to continue to contribute to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children;

49. *Requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report that compiles information on successful interventions and strategies, as well as the gaps, in addressing the gender dimensions of the problem of trafficking in persons and provides recommendations on the strengthening of hu nan rights-based, gender- and age-sensitive approaches within comprehensive and l alanced efforts to address trafficking in persons.

[32] Resolution 2200 A (XXI), annex.

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**Advancement of women**

**Niger:* draft resolution**

## Intensifying global efforts for the elimination of female genital mutilation

*The General Assembly*,

*Recalling* its resolutions 53/117 of 9 December 1998, 56/128 of 19 December 2001, 67/146 of 20 December 2012, 68/146 of 18 December 2013 and 69/150 of 18 December 2014, Commission on the Status of Women resolutions 51/2 of 9 March 2007,[1] 52/2 of 7 March 2008[2] and 54/7 of 12 March 2010[3] and Human Rights Council resolutions 27/22 of 26 September 2014[4] and 32/21 of 1 July 2016,[5] and all relevant agreed conclusions of the Commission on the Status of Women,

*Reaffirming* that the Convention on the Rights of the Child[6] and the Convention on the Elimination of All Forms of Discrimination against Women,[7] together with the Optional Protocols thereto,[8] constitute an important contribution to the legal framework for the protection and promotion of the human rights of women and girls,

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] See *Official Records of the Economic and Social Council, 2007, Supplement No. 7* (E/2007/27), chap. I, sect. D.

[2] Ibid., *2008, Supplement No. 7* (E/2008/27), chap. I, sect D.

[3] Ibid., *2010, Supplement No. 7* and corrigendum (E/2010/27 and Corr.1), chap. I, sect. D.

[4] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53A* and corrigendum (A/69/53/Add.1 and Corr.1), chap. IV, sect. A.

[5] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[7] Ibid., vol. 1249, No. 20378.

[8] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex; and United Nations, *Treaty Series*, vol. 2131, No. 20378.



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*Reaffirming also* the Beijing Declaration[9] and Platform for Action,[10] the outcomes of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] the Programme of Action of the International Conference on Population and Development[12] and the Programme of Action of the World Summit for Social Development[13] and their 5-, 10-, 15- and 20-year reviews, as well as the United Nations Millennium Declaration,[14] and the commitments relevant to women and girls made at the 2005 World Summit[15] and reiterated in Assembly resolution 65/1 of 22 September 2010, entitled "Keeping the promise: united to achieve the Millennium Development Goals", and those made in the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[16]

*Recalling* the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted in Maputo on 11 July 2003, which contains, inter alia, undertakings and commitments on ending female genital mutilation and marks a significant milestone towards the abandonment and ending of female genital mutilation,

*Recalling also* the decision of the African Union, adopted in Malabo on 1 July 2011, to support the adoption by the General Assembly at its sixty-sixth session of a resolution banning female genital mutilation,

*Recalling further* the recommendation of the Commission on the Status of Women at its fifty-sixth session that the Economic and Social Council recommend to the General Assembly the adoption of a decision to consider the issue of ending female genital mutilation at its sixty-seventh session under the item entitled "Advancement of women",[17]

*Recognizing* that female genital mutilation constitute irreparable, irreversible harm that impairs the human rights of women and girls, affecting about 100 million to 140 million women and girls worldwide, and that each year an estimated further 3 million girls are at risk of being subjected to the practice throughout the world,

*Reaffirming* that female genital mutilation is a harmful practice, constituting a serious threat to the health of women and girls, including their psychological, sexual and reproductive health, increasing their vulnerability to HIV and possibly having adverse obstetric and prenatal outcomes, as well as fatal consequences for the mother and the newborn, and that the abandonment of this harmful practice can be

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[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] Resolution S-23/2, annex, and resolution S-23/3, annex.

[12] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[13] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[14] Resolution 55/2.

[15] See resolution 60/1.

[16] Resolution 70/1.

[17] See *Official Records of the Economic and Social Council, 2012, Supplement No. 7* and corrigendum (E/2012/27 and Corr.1), chap. I, sect. A.

achieved as a result of a comprehensive movement that involves all public and private stakeholders in society, including girls and boys, women and men,

*Concerned* about evidence of an increase in the incidence of female genital mutilation being carried out by medical personnel in all regions in which they are practised,

*Recognizing* that negative discriminatory stereotypical attitudes and behaviours have direct implications for the status and treatment of women and girls and that such negative stereotypes impede the implementation of legislative and normative frameworks that guarantee gender equality and prohibit discrimination on the basis of sex,

*Recognizing also* that the campaign of the Secretary-General entitled "UNiTE to End Violence against Women" and the database on violence against women have contributed to addressing the elimination of female genital mutilation,

*Welcoming* the efforts of the United Nations system to end female genital mutilation, in particular the commitment of 10 United Nations entities,[18] announced in their joint inter-agency statement of 27 February 2008 on eliminating female genital mutilation, as well as the Joint Programme on Female Genital Mutilation/Cutting: Accelerating Change of the United Nations Population Fund and the United Nations Children's Fund, to accelerate the elimination of the practice,

*Commending* the continued efforts and actions undertaken by States, individually and collectively, regional organizations and United Nations agencies for the elimination of female genital mutilation as well as the implementation of its resolution 69/150,

*Welcoming* the adoption of the 2030 Agenda for Sustainable Development and underscoring the importance of its implementation in ending female genital mutilation,

*Taking note* of the report of the Secretary-General,[19]

*Deeply concerned* that, despite the increase in national, regional and international efforts and the focus on the abandonment of female genital mutilation, the practice continues to persist in all regions of the world, and is often on the rise for migrant women and girls,

*Deeply concerned also* that a tremendous gap in resources continues to exist and that the shortfall in funding has severely limited the scope and pace of programmes and activities for the elimination of female genital mutilation,

1. *Stresses* that the empowerment of women and girls is key to breaking the cycle of discrimination and violence and for the promotion and protection of human rights, including the right to the highest attainable standard of mental and physical health, including sexual and reproductive health, and calls upon States parties to

[18] Office of the United Nations High Commissioner for Human Rights, Joint United Nations Programme on HIV/AIDS, United Nations Development Programme, Economic Commission for Africa, United Nations Educational, Scientific and Cultural Organization, United Nations Population Fund, Office of the United Nations High Commissioner for Refugees, United Nations Children's Fund, United Nations Development Fund for Women and World Health Organization.

[19] A/69/211.

fulfil their obligations under the Convention on the Rights of the Child[6] and the Convention on the Elimination of All Forms of Discrimination against Women,[7] as well as their commitments to implement the Declaration on the Elimination of Violence against Women,[20] the Programme of Action of the International Conference on Population and Development,[12] the Beijing Platform for Action[10] and the outcomes of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] and of the special session of the Assembly on children;[21]

2. *Calls upon* States to place a stronger focus on the development of comprehensive prevention strategies, including the enhancement of educational campaigns, awareness-raising and formal, non-formal and informal education and training in order to promote the direct engagement of girls and boys, women and men and to ensure that all key actors, Government officials, including law enforcement and judicial personnel, immigration officials, health-care providers, civil society, community and religious leaders, teachers, employers, media professionals and those directly working with girls, as well as parents, families and communities, work to eliminate attitudes and harmful practices, in particular all forms of female genital mutilation, that negatively affect women and girls;

3. *Also calls upon* States to strengthen advocacy and awareness-raising programmes, to mobilize girls and boys to take an active part in developing preventive and elimination programmes to address harmful practices, especially female genital mutilation, and to engage local community and religious leaders, educational institutions, the media and families and provide increased financial support to efforts at all levels to end discriminatory social norms and practices;

4. *Urges* States to condemn all harmful practices that affect women and girls, in particular female genital mutilation, whether committed within or outside a medical institution, and to take all necessary measures, especially through educational campaigns, including enacting and enforcing legislation, to prohibit female genital mutilation and to protect women and girls from this form of violence, and to hold perpetrators to account;

5. *Also urges* States to complement punitive measures with awareness-raising and educational activities designed to promote a process of consensus towards the elimination of female genital mutilation, and further urges States to protect and support women and girls who have been subjected to female genital mutilation and those at risk, including by developing social and psychological support services and care, and to explore other remedies, as appropriate, and take measures to improve their health, including sexual and reproductive health, in order to assist women and girls who are subjected to the practice;

6. *Further urges* States, as appropriate, to promote gender-sensitive, empowering educational processes by reviewing and revising school curricula, educational materials and teacher-training programmes and elaborating policies and programmes of zero tolerance for violence against girls, including female genital mutilation, and to further integrate a comprehensive understanding of the causes and

[20] Resolution 48/104.
[21] Resolution S-27/2, annex.

consequences of gender-based violence and discrimination against women and girls into education and training curricula at all levels;

7. *Urges* States to ensure that the protection and provision of support to women and girls subject to, or at risk of, female genital mutilation are an integral part of policies and programmes that address the practice and to provide women and girls with coordinated, specialized, accessible and quality multisectoral prevention and response, including education, as well as legal, psychological, health-care and social services, provided by qualified personnel, consistent with the guidelines of medical ethics;

8. *Calls upon* States to ensure that national action plans and strategies on the elimination of female genital mutilation are comprehensive and multidisciplinary in scope and that they include projected timelines for goals and incorporate clear targets and indicators for the effective monitoring, impact assessment and coordination of programmes among all relevant stakeholders and promote their participation, including the participation of affected groups, practising communities and non-governmental organizations, in the development, implementation and evaluation of such plans and strategies;

9. *Urges* States to take, within the general framework of integration policies and in consultation with affected communities, effective and specific targeted measures for refugee women and women migrants and their communities in order to protect girls from female genital mutilation, including when the practice occurs outside the country of residence;

10. *Calls upon* States to develop information and awareness-raising campaigns and programmes to systematically reach the general public, relevant professionals, families and communities, including through the media, featuring television and radio discussions, on the elimination of female genital mutilation;

11. *Urges* States to pursue a comprehensive, culturally sensitive, systematic approach that incorporates a social perspective and is based on human rights and gender-equality principles in providing education and training to families, local community leaders and members of all professions relevant to the protection and empowerment of women and girls in order to increase awareness of and commitment to the elimination of female genital mutilation;

12. *Also urges* States to ensure the national implementation of international and regional commitments and obligations undertaken as States parties to various international instruments protecting the full enjoyment of all human rights and the fundamental freedoms of women and girls;

13. *Calls upon* States to develop policies and regulations to ensure the effective implementation of national legislative frameworks on eliminating discrimination and violence against women and girls, in particular female genital mutilation, and to put in place adequate accountability mechanisms at the national and local levels to monitor adherence to and implementation of these legislative frameworks;

14. *Also calls upon* States to develop unified methods and standards for the collection of data on all forms of discrimination and violence against girls, especially forms that are underdocumented, such as female genital mutilation, to

develop additional indicators so as to effectively measure progress in eliminating the practice and to reinforce the sharing of good practices relating to the prevention and the abandonment of the practice at the subregional and regional levels;

15. *Urges* States to allocate sufficient resources to the implementation of policies and programmes and legislative frameworks aimed at eliminating female genital mutilation;

16. *Calls upon* States to develop, support and implement comprehensive and integrated strategies for the prevention of female genital mutilation, including the training of social workers, medical personnel, community and religious leaders and relevant professionals, and to ensure that they provide competent, supportive services and care to women and girls who are at risk of or who have undergone female genital mutilation and encourage them to report to the appropriate authorities cases in which they believe women or girls are at risk;

17. *Also calls upon* States to support, as part of a comprehensive approach to eliminate female genital mutilation, programmes that engage local community practitioners of female genital mutilation in community-based initiatives for the abandonment of the practice, including, where relevant, the identification by communities of alternative livelihoods for them;

18. *Calls upon* the international community, the relevant United Nations entities and civil society and international financial institutions to continue to actively support, through the allocation of increased financial resources and technical assistance, targeted comprehensive programmes that address the needs and priorities of women and girls at risk of or subjected to female genital mutilation;

19. *Calls upon* the international community to strongly support, including through increased financial support, a third phase of the Joint Programme on Female Genital Mutilation/Cutting: Accelerating Change of the United Nations Population Fund and the United Nations Children's Fund, which will run until 2020, as well as national programmes focused on the elimination of female genital mutilation;

20. *Stresses* that some progress has been made in combating female genital mutilation in a number of countries using a common coordinated approach that promotes positive social change at the community, national, regional and international levels, and recalls the goal set out in the United Nations inter-agency statement[18] that female genital mutilation are to be eliminated within a generation, with some of the main achievements being obtained by 2030, in line with the Sustainable Development Goals;

21. *Encourages* men and boys to take positive initiatives and to work in partnership with women and girls to combat violence and discriminatory practices against women and girls, in particular female genital mutilation, through networks, peer programmes, information campaigns and training programmes;

22. *Calls upon* States, the United Nations system, civil society and all stakeholders to continue to observe 6 February as the International Day of Zero Tolerance for Female Genital Mutilation and to use the day to enhance awareness-raising campaigns and to take concrete actions against female genital mutilation;

23. *Calls upon* States to improve the collection and analysis of quantitative and qualitative data and, where appropriate, to collaborate with existing data collection systems, which are crucial for evidence-based legal and policy development, programme design and implementation and the monitoring of the elimination of female genital mutilation;

24. *Acknowledges* that intensifying efforts is urgently needed for the elimination of female genital mutilation and, in this regard, the importance of giving the issue due consideration in the efforts to achieve the Sustainable Development Goals by 2030;

25. *Requests* the Secretary-General to ensure that all relevant organizations and bodies of the United Nations system, in particular the United Nations Population Fund, the United Nations Children's Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights, individually and collectively, take into account the protection and promotion of the rights of women and girls against female genital mutilation in their country programmes, as appropriate and in accordance with national priorities, in order to further strengthen their efforts in this regard;

26. *Renews its request* to the Secretary-General that he submit to the General Assembly, at its seventy-first session, an in-depth multidisciplinary report on the root causes of and factors contributing to the practice of female genital mutilation, its prevalence worldwide and its impact on women and girls, including evidence and data, analysis of progress made to date and action-oriented recommendations for eliminating this practice on the basis of information provided by Member States, relevant actors of the United Nations system working on the issue and other relevant stakeholders.

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**Seventy-first session**
**Third Committee**
Agenda item 27
**Advancement of women**

**Niger:* draft resolution**

## Intensification of efforts to end obstetric fistula

*The General Assembly*,

*Recalling* its resolutions 62/138 of 18 December 2007, 63/158 of 18 December 2008, 65/188 of 21 December 2010 and 67/147 of 20 December 2012 on supporting efforts to end obstetric fistula and 69/148 of 18 December 2014 on the intensification of efforts to end obstetric fistula,

*Reaffirming* the Beijing Declaration and Platform for Action,[1] the outcomes of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[2] the Programme of Action of the International Conference on Population and Development[3] and the Programme of Action of the World Summit for Social Development,[4] and their reviews, and the international commitments in the field of social development and to gender equality and the empowerment of women and girls made at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance[5] and the 2005 World Summit,[6] as well as those made in the outcome document of the United Nations summit for the adoption of the

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[2] Resolution S-23/2, annex, and resolution S-23/3, annex.

[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[4] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[5] See A/CONF.189/12 and Corr.1, chap. I.

[6] Resolution 60/1.

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post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[7]

*Reaffirming also* the Universal Declaration of Human Rights,[8] the Convention on the Elimination of All Forms of Discrimination against Women[9] and the Convention on the Rights of the Child,[10] and urging States that have not done so to consider, as a matter of priority, signing, ratifying or acceding to those Conventions and the Optional Protocols thereto,[11]

*Welcoming* the report of the Secretary-General[12] and the conclusions and recommendations contained therein,

*Stressing* the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health-care services, early childbearing, child, early and forced marriage, violence against young women and girls and gender discrimination as root causes of obstetric fistula, and that poverty remains the main social risk factor,

*Recognizing* that the difficult socioeconomic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty,

*Recognizing also* that early childbearing increases the risk of complications during pregnancy and delivery and entails a much higher risk of maternal mortality and morbidity, and deeply concerned that early childbearing and limited access to the highest attainable standard of health, including sexual and reproductive health, specifically timely access to high-quality emergency obstetric care, cause high levels of obstetric fistula and other maternal morbidities, as well as maternal mortality,

*Recognizing further* that adolescent girls are at particular risk of maternal death and morbidity, including obstetric fistula, and concerned that the leading cause of death among girls aged 15 to 19 in many low- and middle-income countries is complications from pregnancy and childbirth and that women aged 30 and older are at increased risk of developing complications and of dying during childbirth,

*Noting* that a human rights-based approach to eliminating obstetric fistula is underpinned by the principles of, inter alia, accountability, participation, transparency, empowerment, sustainability, non-discrimination and international cooperation,

*Deeply concerned* about discrimination against women and girls and the violation of their rights, which often result in less access for girls to education and nutrition, their reduced physical and mental health and the enjoyment by girls of fewer of the rights, opportunities and benefits of childhood and adolescence compared with boys, and in their often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices,

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[7] Resolution 70/1.
[8] Resolution 217 A (III).
[9] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[10] Ibid., vol. 1577, No. 27531.
[11] Ibid., vol. 2131, No. 20378; and vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.
[12] A/71/306.

*Deeply concerned also* about the situation of women living with or recovering from obstetric fistula, who are often neglected and stigmatized, and driven deeper into poverty and marginalization,

*Recognizing* the need to raise awareness among men and adolescent boys and, in this context, to fully engage men and community leaders as strategic partners and allies in the efforts to address and eliminate obstetric fistula,

*Welcoming* the contribution by Member States, the international community and civil society to the global Campaign to End Fistula led by the United Nations Population Fund, bearing in mind that a people-centred approach to social and economic development is fundamental for protecting and empowering individuals and communities,

*Deeply concerned* that, as the Campaign to End Fistula has completed its twelfth anniversary, while some progress has been made, significant challenges remain that require the intensification of efforts at all levels to end obstetric fistula,

*Recognizing* the Secretary-General's revised Global Strategy for Women's, Children's and Adolescents' Health (2016-2030), undertaken by a broad coalition of partners, in support of national plans and strategies aimed at attaining the highest standards of health and well-being, physical, mental and social, at every age, ending maternal and newborn mortality and supporting countries in implementing the Sustainable Development Goals,

*Welcoming* the various national, regional and international initiatives on all the Sustainable Development Goals, including those undertaken bilaterally and through South-South cooperation, in support of national plans and strategies in sectors such as health, education, finance, gender equality, energy, water and sanitation, poverty eradication and nutrition as a way to reduce the number of maternal, newborn and under-five child deaths,

*Welcoming also* ongoing partnerships between stakeholders at all levels to address the multifaceted determinants of maternal, newborn and child health in close coordination with Member States based on their needs and priorities, and in this regard welcoming further the commitments to accelerate progress on the health-related Sustainable Development Goals by 2030,

1. *Reaffirms* the commitments made by Member States to achieve the Sustainable Development Goals by 2030, including Goals 3 and 5, to end obstetric fistula within a generation;

2. *Recognizes* the interlinkages between poverty, lack of or inadequate access to health-care services, early childbearing and child, early and forced marriage as root causes of obstetric fistula, that poverty and inequality remain the main social risk factor and that the eradication of poverty is critical to meeting the needs and rights of women and girls, and calls upon States, in collaboration with the international community, to take accelerated action to address the situation;

3. *Stresses* the need to address the social issues that contribute to the problem of obstetric fistula, such as poverty, lack of or inadequate education for women and girls, lack of access to health-care services, including sexual and

reproductive health-care services, early childbearing, child, early and forced marriage and the low status of women and girls;

4. *Calls upon* States to take all measures necessary to ensure the right of women and girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development,[3] the Beijing Platform for Action[13] and the outcome documents of their review conferences, and to develop sustainable health systems and social services with a view to ensuring universal access to such systems and services without discrimination, while paying special attention to adequate food and nutrition, water and sanitation, family planning information, increasing women's empowerment, knowledge and awareness and ensuring equitable access to high-quality appropriate prenatal and delivery care for the prevention of obstetric fistula and the reduction of health inequities, as well as postnatal care for the detection and early management of fistula cases;

5. *Also calls upon* States to ensure the right to education of good quality for women and girls, on an equal basis with men and boys, and to ensure that they complete a full course of primary education, and to renew their efforts to improve and expand girls' and women's education at all levels, including at the secondary and higher levels, and including age-appropriate sex education, as well as vocational education and technical training, in order to, inter alia, achieve gender equality, the empowerment of women and girls and poverty eradication;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage, including in rural and remote areas, is entered into only with the free and full consent of the intending spouses and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, and to raise the minimum age for marriage where necessary;

7. *Calls upon* the international community to provide intensified technical and financial support, in particular to high-burden countries, to accelerate progress towards the elimination of obstetric fistula within a generation as an integral component of achieving the Sustainable Development Goals by 2030 and leaving no one behind;

8. *Urges* multilateral donors, international financial institutions and regional development banks in the public and private sectors, within their respective mandates, to review and implement policies to support national efforts and institutional capacity-building to end obstetric fistula and to ensure that a higher proportion of resources reach young women and girls, in particular in rural, remote and poorest urban areas, as well as to ensure that needed funding is increased, predictable and sustained;

9. *Calls upon* the international community to support the activities of the United Nations Population Fund and other partners, including the World Health Organization, in the global Campaign to End Fistula in establishing and financing regional fistula treatment and training centres and, where necessary, national

[13] *Report of the Fourth World Conference on Women, Beijing 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

centres, by identifying and supporting health facilities that have the potential to serve as centres for treatment, training and convalescent care;

10. *Calls upon* States to accelerate progress in order to improve maternal health by addressing sexual and reproductive, maternal, newborn and child health in a comprehensive manner, inter alia, through the provision of family planning, prenatal care, skilled attendance at birth, emergency obstetric and newborn care, postnatal care and methods of prevention and treatment of sexually transmitted diseases and infections, such as HIV, within strengthened health-care systems that provide universal access to affordable, equitable and high-quality integrated health-care services and include community-based preventive and clinical care, as also reflected in the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[7] and in the Secretary-General's Global Strategy for Women's, Children's and Adolescents' Health (2016-2030);

11. *Urges* the international community to address the shortage of doctors and surgeons and the inequitable distribution of midwives, nurses and other health-care workers trained in lifesaving obstetric care, and of space and supplies, which limit the capacity of most fistula centres;

12. *Commends* the commemoration by the international community of 23 May as the International Day to End Obstetric Fistula and the decision to continue to use the International Day each year to significantly raise awareness, intensify actions and mobilize support towards ending obstetric fistula;

13. *Calls upon* States and/or the relevant funds and programmes, organs and the specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant actors of civil society, including non-governmental organizations, and the private sector, to end obstetric fistula within a generation and achieve the Sustainable Development Goals by:

(a) Redoubling their efforts to meet the internationally agreed goal of improving maternal health by making maternal health-care services and obstetric fistula treatment geographically and financially accessible, including by ensuring universal access to skilled attendance at birth and timely access to high-quality emergency obstetric care and family planning, as well as appropriate prenatal and postnatal care;

(b) Making greater investments in strengthening health systems, ensuring adequately trained and skilled human resources, especially midwives, obstetricians, gynaecologists and doctors, and providing support for the development and maintenance of infrastructure, as well as investments in referral mechanisms, equipment and supply chains, to improve maternal and newborn health-care services and ensure that women and girls have access to the full continuum of care, with functional quality control and monitoring mechanisms in place for all areas of service delivery;

(c) Supporting the training of doctors, nurses and other health-care workers in lifesaving obstetric care, especially midwives, who are the front-line workers in the fight to prevent obstetric fistula and maternal and newborn mortality, and

including training on fistula repair, treatment and care as a standard element of the training curricula of health professionals;

(d) Ensuring universal access through national policies, plans and programmes that make maternal and newborn health-care services, particularly family planning, skilled attendance at birth, emergency obstetric and newborn care and obstetric fistula treatment, financially accessible, including in rural and remote areas and among the poorest women and girls, through, where appropriate, the establishment and distribution of health-care facilities and trained medical personnel, collaboration with the transport sector for affordable transport options, the promotion of and support for community-based solutions and the provision of incentives and other means to secure the presence in rural and remote areas of qualified health-care professionals who are able to perform interventions to prevent obstetric fistula;

(e) Developing, implementing and supporting national and international prevention, care and treatment and socioeconomic reintegration and support strategies, policies and plans to eliminate obstetric fistula within a generation, developing further multisectoral, multidisciplinary, comprehensive and integrated action plans in order to bring about lasting solutions and put an end to maternal mortality and morbidity and obstetric fistula, including by ensuring access to affordable, accessible, comprehensive, high-quality maternal health-care services, and, within countries, incorporating into all sectors of national budgets policy and programmatic approaches to address inequities and reach poor, vulnerable women and girls;

(f) Establishing or strengthening, as appropriate, a national task force for obstetric fistula, led by the Ministry of Health, to enhance national coordination and improve partner collaboration to end obstetric fistula;

(g) Strengthening the capacity of health-care systems, in particular public health systems, to provide the essential services needed to prevent obstetric fistula and to treat existing cases by increasing national budgets for health, ensuring that adequate funds are allocated to reproductive health, including for obstetric fistula, ensuring access to fistula treatment through increased availability of trained, expert fistula surgeons and permanent, holistic fistula services integrated into strategically selected hospitals, thereby addressing the significant backlog of women and girls awaiting surgical repair of fistula, and encouraging communication among fistula centres to facilitate training, research, advocacy and fundraising and the application of relevant medical standards, including consideration of the use of the World Health Organization manual entitled "Obstetric Fistula: Guiding Principles for Clinical Management and Programme Development", which provides background information and principles for developing fistula prevention and treatment programmes, as appropriate;

(h) Mobilizing funding to provide free or adequately subsidized maternal health-care and obstetric fistula repair and treatment services, including by encouraging networking among providers and the sharing of new treatment techniques and protocols to protect women's and children's well-being and survival and to prevent the recurrence of subsequent fistulas by making post-surgery follow-up and the tracking of fistula patients a routine and key component of all fistula

programmes, and also to ensure access to elective caesarean sections for fistula survivors who become pregnant again in order to prevent fistula recurrence and to increase the chances of survival of mother and baby in all subsequent pregnancies;

(i) Ensuring that all women and girls who have undergone fistula treatment, including the forgotten women and girls with incurable or inoperable fistula, are provided with and have access to comprehensive health-care services, holistic social integration services and careful follow-up, including counselling, education, family planning and socioeconomic empowerment, for as long as needed, through, inter alia, skills development and income-generating activities, so that they can overcome abandonment and social exclusion, and developing linkages with civil society organizations and women's and girls' empowerment programmes so as to help to achieve this goal;

(j) Empowering fistula survivors to contribute to community sensitization and mobilization as advocates for fistula elimination, safe motherhood and newborn survival;

(k) Educating individual women and men, girls and boys, communities, policymakers and health professionals about how obstetric fistula can be prevented and treated, and increasing awareness of the needs of pregnant women and girls, as well as of those who have undergone surgical fistula repair, including their right to the highest attainable standard of health, including sexual and reproductive health, by working with community and religious leaders, traditional birth attendants, women and girls who have suffered from fistula, the media, social workers, civil society, women's organizations, influential public figures and policymakers;

(l) Enhancing the participation of men and adolescent boys in the intensification of efforts to end obstetric fistula and further strengthening their involvement as partners, including in the Campaign to End Fistula;

(m) Strengthening awareness-raising and advocacy, including through the media, to effectively reach families and communities with key messages on fistula prevention and treatment and social reintegration and to end fistula within a generation;

(n) Strengthening research, monitoring and evaluation systems, including by developing a community- and facility-based mechanism for the systematic notification of obstetric fistula cases and maternal and newborn deaths to ministries of health, and their recording in a national register, and by acknowledging obstetric fistula as a nationally notifiable condition, triggering immediate reporting, tracking and follow-up for the purpose of guiding the development and implementation of maternal health programmes;

(o) Strengthening research, data collection, monitoring and evaluation to guide the planning and implementation of maternal health programmes, including for obstetric fistula, by conducting up-to-date needs assessments on emergency obstetric and newborn care and for fistula and routine reviews of maternal deaths and near-miss cases as part of a national maternal death surveillance and response system, integrated within national health information systems;

(p) Improving data collection, pre- and post-surgery, to measure progress in addressing the needs for surgical treatment and the quality of surgery, rehabilitation

and socioeconomic reintegration services, including post-surgery prospects for successful subsequent pregnancies, live births and severe health-related complications, so as to address the challenges of improving maternal health;

(q) Providing essential health-care services, equipment and supplies, skills training and income-generating projects and support to women and girls so that they can break out of the cycle of poverty;

14. *Acknowledges* that intensification of efforts is urgently needed to end obstetric fistula and, in this context, the importance of giving the issue of developing a global action plan to end fistula within a generation due consideration in the achievement of the Sustainable Development Goals by 2030;

15. *Invites* Member States to contribute to efforts to end obstetric fistula, including, in particular, through the Campaign to End Fistula, as part of the endeavours to achieve Sustainable Development Goals 3 and 5 by 2030, and to commit themselves to continue efforts to improve maternal health with the aim of eliminating obstetric fistula globally within a generation;

16. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-third session on the implementation of the present resolution under the item entitled "Advancement of women".

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**Seventy-first session**
**Third Committee**
Agenda item 65 (a)
**Rights of indigenous peoples: rights of indigenous peoples**

**Bolivia (Plurinational State of) and Ecuador: draft resolution**

## Rights of indigenous peoples

*The General Assembly*,

*Recalling* all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples, reaffirming its resolutions 65/198 of 21 December 2010, 66/142 of 19 December 2011, 67/153 of 20 December 2012, 68/149 of 18 December 2013, 69/2 of 22 September 2014 and 69/159 of 18 December 2014, and recalling Human Rights Council resolutions 27/13 of 25 September 2014,[1] 30/4 of 1 October 2015[2] and 33/12 of 29 September 2016,

*Reaffirming* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in New York on 22 and 23 September 2014,[3] in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples, recalling the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples, and welcoming and reaffirming the commitments, measures and efforts undertaken by States, the United Nations system, indigenous peoples and other actors in its implementation,

*Encouraging* the active engagement of indigenous peoples in the implementation of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, including at the regional and global levels,

[1] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.
[2] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.
[3] Resolution 69/2.



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*Welcoming* the 2030 Agenda for Sustainable Development,[4] and stressing the need to ensure that no one is left behind, including indigenous peoples, who will benefit from and participate in the implementation of the 2030 Agenda and whose rights should be included across all Goals and targets, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples,[5]

*Welcoming also* Human Rights Council resolution 33/25 of 30 September 2016, in which the Council amended the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, which shall provide the Council with expertise and advice on the rights of indigenous peoples as set out in the United Nations Declaration on the Rights of Indigenous Peoples and assist Member States, upon request, in achieving the ends of the Declaration through the promotion, protection and fulfilment of the rights of indigenous peoples,

*Reaffirming* the United Nations Declaration on the Rights of Indigenous Peoples, which addresses their individual and collective rights,

*Stressing* the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

*Recognizing* that violence against indigenous women and girls has a negative impact on the enjoyment of their human rights and fundamental freedoms and constitutes a major impediment to women's full, equal and effective participation in society, the economy and political decision-making,

*Expressing concern* that, in some cases, indigenous peoples' communities frequently experience suicide rates, in particular among indigenous youth and children, which are significantly higher than among the general population,

*Deeply concerned* that, despite continuing efforts, the vast majority of languages under threat are indigenous languages, and stressing that there is an urgent need to preserve and revitalize languages,

*Bearing in mind* the importance of promoting respect for the rights of indigenous children, in particular combating the worst forms of child labour, in accordance with international law, including relevant human rights law and international labour law obligations,

*Bearing in mind also* the importance of the empowerment and capacity-building of indigenous youth, including their full and effective participation in decision-making processes in matters that affect them, including policies, programmes and resources, where relevant, that target the well-being of indigenous youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and the importance of taking measures to promote awareness and understanding of their rights,

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[4] Resolution 70/1.

[5] Resolution 61/295, annex.

*Recognizing* the importance of access to justice in the promotion and protection of the rights of indigenous peoples and individuals and the need to examine and take steps to remove obstacles to justice, especially for indigenous women, indigenous youth and indigenous persons with disabilities,

*Underlining* the responsibility of transnational corporations and other business enterprises to respect all human rights, applicable laws and international principles[6] and operate transparently and in a socially and environmentally responsible manner, and emphasizing the need to refrain from negatively affecting the well-being of indigenous peoples and to take further action towards corporate responsibility and accountability, including the prevention, mitigation and remediation of human rights abuses,

*Recognizing* the value and the diversity of the cultures and the form of social organization of indigenous peoples and their holistic traditional scientific knowledge of their lands, natural resources and environment, and recognizing also that traditional scientific knowledge, innovations and practices of indigenous peoples and local communities can support social well-being and sustainable livelihoods,

*Recognizing also* the importance of traditional sustainable agricultural practices, including traditional seed supply systems, to indigenous economies, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

*Concerned* about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

*Stressing* the need to pay particular attention to the rights and special needs of indigenous women, children, youth, older persons and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting their access to justice,

1. *Notes with appreciation* the work of the Expert Mechanism on the Rights of Indigenous Peoples, of the Permanent Forum on Indigenous Issues and of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report,[7] and encourages all Governments to respond favourably to her requests for visits;

2. *Urges* Governments and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to continue to implement, when appropriate, measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples[5] and to promote awareness of it among all sectors of society, including members of legislatures, the

[6] Including the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex).

[7] A/71/229.

judiciary and the civil service, as well as among indigenous peoples, and invites international and regional organizations, within their respective mandates, national human rights institutions, where they exist, civil society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

3. *Reiterates* the commitment of Member States to implementing the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[3] and to cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

4. *Reaffirms* the decision to convene a high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, to be held during the seventy-first session of the General Assembly, in 2017, and that the event will take stock of the achievements of the preceding 10 years and assess the remaining challenges for the rights of indigenous peoples, and also consider the further follow-up to the Declaration, including the consideration of a third International Decade;

5. *Calls upon* States to consider organizing activities to commemorate the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples at various levels, from local to national, including to raise public awareness of the Declaration and the progress achieved;

6. *Welcomes* the leadership of the Secretary-General and of the Under-Secretary-General for Economic and Social Affairs, as the responsible senior official of the United Nations system, in developing a system-wide action plan to ensure a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples,[8] raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of the system in this regard, and urges the funds, programmes and specialized agencies of the United Nations system, in addition to resident coordinators, to fully implement the plan;

7. *Encourages* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization[9] to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support of States for the Declaration;

8. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues and the United Nations Indigenous Peoples' Partnership, invites indigenous organizations and private institutions and individuals to do likewise, and notes the need for greater accessibility, accountability, transparency and geographical distribution in the management of these funds;

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[8] E/C.19/2016/5 and Corr.1.

[9] United Nations, *Treaty Series*, vol. 1650, No. 28383.

9. *Decides* to continue to observe in New York, Geneva and other United Nations offices every year on 9 August the International Day of Indigenous Peoples, requests the Secretary-General to support the observance of the Day from within existing resources, and encourages Governments to observe the Day at the national level;

10. *Proclaims* the year beginning on 1 January 2019 the International Year of Indigenous Languages, to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps at the national and international levels, and invites the United Nations Educational, Scientific and Cultural Organization to serve as the lead agency for the Year;

11. *Encourages* States to consider including in their reports related to indigenous peoples and women information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action",[10] and 56/4 of 9 March 2012, entitled "Indigenous women: key actors in poverty and hunger eradication";[11]

12. *Also encourages* States to consider including in their voluntary national reviews for the high-level political forum on sustainable development and their national and global reports information related to indigenous peoples on the progress made and challenges in the implementation of the 2030 Agenda for Sustainable Development,[4] in accordance with paragraphs 78 and 79 of the 2030 Agenda, and further encourages States to compile disaggregated data to measure progress and to ensure that no one is left behind;

13. *Underlines* the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate barriers to their full, equal and effective participation in political, economic, social and cultural life;

14. *Reaffirms* the importance of effective accountability with regard to violence against indigenous women and girls, including sexual violence, abuse and exploitation, including in situations of conflict, and of taking adequate measures to combat such violence;

15. *Welcomes* the intention of the Commission on the Status of Women to place the issue of empowerment of indigenous women on the agenda of its sixty-first session as a focus area, and encourages States to participate actively in discussions on this issue;

16. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into development policies and programmes at the

[10] *See Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. D.

[11] Ibid., *2012, Supplement No. 7* and corrigendum (E/2012/27 and Corr.1), chap. I, sect. D.

national, regional and international levels, and encourages them to give due consideration to the rights of indigenous peoples in achieving the goals of the 2030 Agenda;

17. *Invites* the Expert Mechanism on the Rights of Indigenous Peoples, the Permanent Forum on Indigenous Issues and the Special Rapporteur on the rights of indigenous peoples to give due consideration, within their mandates, to the rights of indigenous peoples as related to the implementation of the 2030 Agenda, and encourages the Permanent Forum, as an expert body of the Economic and Social Council, to contribute to the thematic reviews of progress on the Sustainable Development Goals, in accordance with paragraph 85 of the 2030 Agenda;

18. *Encourages* Governments to redouble efforts to combat the worst forms of child labour, both in legislation and in practice, in the context of respect for the human rights of indigenous children, including through international cooperation, as appropriate;

19. *Encourages* States and entities of the United Nations system to strengthen international cooperation, including to address the disadvantages faced by indigenous peoples, and to increase technical cooperation and financial assistance in this regard;

20. *Encourages* the World Health Organization, the United Nations Children's Fund and other relevant United Nations agencies, funds and programmes, in accordance with their mandates, to carry out research and evidence-gathering on the prevalence of suicide among indigenous youth and children and good practices on its prevention and to consider developing, as appropriate, strategies or policies, consistent with national priorities, in cooperation with Member States, to tackle it, including through consultation with indigenous peoples, in particular indigenous youth organizations;

21. *Reaffirms* the request to the President of the General Assembly to conduct, within existing resources, timely, inclusive, representative and transparent consultations with Member States, indigenous peoples' representatives and institutions from all regions of the world, and existing relevant mechanisms of the United Nations, on the possible measures necessary, including procedural and institutional steps and selection criteria, to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them;

22. *Welcomes* the work of the four advisers appointed by the President of the General Assembly at its seventieth session in preparing a compilation of the views presented during the consultations led by the President, including good practices within the United Nations regarding indigenous peoples' participation, which will form the basis for a draft text to be finalized and adopted by the Assembly during its seventy-first session;

23. *Decides* to continue its consideration of the question at its seventy-second session, under the item entitled "Rights of indigenous peoples", and to maintain in the provisional agenda the sub-item entitled "Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples".

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**Third Committee**

Agenda item 64 (a)

**Promotion and protection of the rights of children: promotion and protection of the rights of children**

**Armenia and Mexico: draft resolution**

## Protecting children from bullying

*The General Assembly*,

*Recalling* its resolution 69/158 of 18 December 2014 on protecting children from bullying, all its previous resolutions on the rights of the child and the resolutions adopted by the Human Rights Council that are relevant to the protection of children from bullying,

*Emphasizing* that the Convention on the Rights of the Child[1] constitutes the standard in the promotion and protection of the rights of the child and that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein,

*Recalling* the United Nations Declaration on Human Rights Education and Training,[2] and noting the adoption of the United Nations Educational, Scientific and Cultural Organization Declaration of Principles on Tolerance,[3]

*Welcoming* the adoption of the 2030 Agenda for Sustainable Development[4] in its entirety, underscoring the importance of its implementation in ensuring the enjoyment of the rights of the child, and taking into consideration the commitments to end abuse, exploitation, trafficking and all forms of violence against and torture of children contained therein,

*Welcoming also* the report of the Secretary-General,[5] including in particular its conclusions and recommendations,

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Resolution 66/137, annex.
[3] A/51/201, annex, appendix I.
[4] Resolution 70/1.
[5] A/71/213.



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*Noting with appreciation* the establishment of the Global Partnership to End Violence against Children and the "High time to end violence against children" initiative of the Special Representative of the Secretary-General on Violence against Children, and noting that they constitute platforms for multi-stakeholder engagement that can contribute to the prevention and elimination of violence against children, including forms of bullying,

*Recognizing* that bullying can take both direct and indirect forms, from acts of violence to social exclusion, that although rates differ from country to country, bullying, online or in person, is among children's top concerns and that it affects a high percentage of children and compromises their health, emotional well-being and academic work and is associated with consequences that may continue on into adulthood,

*Recognizing also* the importance of generating appropriate statistical information on bullying,

*Concerned* about the occurrence of bullying in different parts of the world and the fact that children who are victimized by such practices may be at heightened risk for a wide range of emotional problems, as well as potential long-term effects on the individual's ability to realize his or her own potential,

*Noting with concern* that children in vulnerable or marginalized groups or situations, who face stigmatization, discrimination or exclusion, including children with mental and physical disabilities, children from disadvantaged backgrounds, children in poverty, migrant children, refugee children, displaced children, children seeking asylum, indigenous children, children belonging to ethnic, racial, linguistic, cultural or religious minorities, children facing discrimination because their appearance does not meet cultural preferences, children perceived as having a sexual orientation and/or gender identity different from what is seen as the norm and children unable to go to school or excluded from it, are disproportionately affected by bullying, both in person and online,

*Noting* the risks associated with the misuse of new information and communications technologies and applications, including increased vulnerability to bullying, while stressing that new information and communications technologies and applications can create new ways to enhance education and, inter alia, learn and teach about the rights of the child and can be useful tools to promote children's protection,

*Noting also* the role that information and communications technologies play in reducing the risk of sexual abuse and exploitation, including by empowering children to report such abuses, and recognizing that States should promote access to digital media and information and communications technologies while protecting children from harm,

*Acknowledging* the obligations and commitments of States to take all appropriate legislative, administrative, social and educational measures to prevent and address all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation against children, including, as appropriate, the implementation of educational measures to address behavioural practices that condone such violence,

*Recognizing* that parents, legal guardians, schools, communities and State institutions have a special responsibility for securing children's protection from the risks associated with bullying,

*Recognizing also* that teachers and other school professionals can play a crucial role in preventing bullying, such as by raising awareness of the rights of the child, organizing regular classroom discussions, supporting school mediation, promoting parents' involvement, strengthening children's participation in establishing principles and practices on prevention and response and uncovering and handling individual cases of bullying,

*Recognizing further* that evidence-based initiatives to strengthen children's positive values and life skills, including taking responsibility for their actions towards others, as well as whole-school and whole-community programmes that fully respect all human rights, constitute best practices that should be developed, strengthened and shared through international cooperation,

*Acknowledging* that children's participation and their contributions need to be at the centre of efforts to prevent and address bullying,

1. *Calls upon* Member States:

(a) To take all appropriate measures to prevent and protect children, including in school, from any form of violence, including forms of bullying, by promptly responding to such acts, and to provide appropriate support to children affected by and involved in bullying;

(b) To continue to promote and invest in education, including as a long-term and lifelong process by which everyone learns tolerance and respect for the dignity of others and the means and methods of ensuring such respect in all societies;

(c) To generate statistical information and data disaggregated by sex, age and other relevant variables at the national level, and to provide information on disability, with regard to the problem of bullying, as a basis on which to elaborate effective public policies;

(d) To implement significant measures to prevent and respond to bullying, including cyberbullying, in particular initiatives to mobilize support to prevent and address the phenomenon, efforts to inform and assist children, public policies to secure children's protection and restorative practices to repair harm, restore relationships and avoid recidivism;

(e) To adopt, as appropriate, clear and comprehensive legislation on children's protection from bullying, including prohibited conduct, safe and child-sensitive counselling and reporting procedures and safeguards for the rights of affected children;

(f) To raise public awareness, involving family members, legal guardians, caregivers, young people, schools, communities, community leaders and the media, as well as civil society organizations, with the participation of children, regarding the protection of children from bullying;

(g) To inform children of available support services, including safe, accessible, age- and child-sensitive, confidential and independent counselling and reporting

mechanisms, as well as of procedures in place to support them in this process, where they exist, and encourages Member States that have not yet done so to make such support services available;

(h) To share national experiences and best practices for preventing and tackling bullying, including cyberbullying;

2. *Requests* the Secretary-General to devise and initiate an international campaign, in collaboration with Member States and relevant mechanisms and agencies of the United Nations, with a view to bringing attention to bullying, including cyberbullying, and to promoting peaceful social interaction;

3. *Also requests* the Secretary-General to organize an expert workshop, to be held in 2017, to share perspectives and best practices on the protection of children from bullying, including to pursue the objectives of the Convention on the Rights of the Child,[1] and invites Member States and relevant mechanisms and agencies of the United Nations to participate actively in the meeting;

4. *Further requests* the Secretary-General, taking into account the proposals contained in his report, as well as any other relevant elements, to submit a proposal for an international plan of action on the prevention of bullying that draws on expertise from the United Nations system and the contributions of Governments, regional organizations, non-governmental organizations in their advisory capacity and civil society actors;

5. *Encourages* Member States to continue their efforts, alongside the relevant existing statistical projects of the United Nations, to identify indicators and methodologies to support the design of evidence-based prevention and response programmes to protect children from bullying;

6. *Decides* to continue its consideration of the question at its seventy-second session under the item entitled "Promotion and protection of the rights of children".